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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on Natural Resources and Transportation...

COMMITTEE NOTICES ...

- [Committee Reports](#) ... **CR**
- [Executive Sessions](#) ... **ES**
- [Public Hearings](#) ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- [Appointments](#) ... **Appt** (w/Record of Comm. Proceedings)
- [Clearinghouse Rules](#) ... **CRule** (w/Record of Comm. Proceedings)
- [Hearing Records](#) ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- [Miscellaneous](#) ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (June 2012)

Senate

Record of Committee Proceedings

Committee on Natural Resources and Transportation

Senate Bill 480

Relating to: transporting buildings on the highways and providing penalties.

By Senators A. Lasee and Kedzie; cosponsored by Representatives Petrowski, Ainsworth, Albers, Bies, Hahn, Hines and Kestell.

December 16, 2005 Referred to Committee on Natural Resources and Transportation.

January 11, 2006 **PUBLIC HEARING HELD**

Present: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.
Absent: (0) None.

Appearances For

- Jerry Petrowski — Representative, 86th Assembly District
- John Peterson — Schuette Movers
- Carson Frazier — Department of Transportation

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Alan Lasee — State Senator, 1st Senate District
- Luke Rollins — Wisconsin Housing Alliance

Registrations Against

- None.

January 11, 2006 **EXECUTIVE SESSION HELD**

Present: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.
Absent: (0) None.

Moved by Senator Stepp, seconded by Senator Breske that **Senate Amendment 1** be recommended for adoption.

Ayes: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.

Noes: (0) None.

ADOPTION OF SENATE AMENDMENT 1 RECOMMENDED, Ayes 5, Noes 0

Moved by Senator Breske, seconded by Senator Stepp that **Senate Bill 480** be recommended for passage as amended.

Ayes: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.

Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 5, Noes 0

Dan Johnson
Committee Clerk

Vote Record

Committee on Natural Resources and Transportation

Date: 1-11-06

Bill Number: SB 480

Moved by: Stepp

Seconded by: Breske

Motion: Adoption of SA 1

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Neal Kedzie, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Cathy Stepp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dan Kapanke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Roger Breske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Wirch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: _____

Motion Carried

Motion Failed

Vote Record

Committee on Natural Resources and Transportation

Date: 1-11-06

Bill Number: SB 480

Moved by: Breske Seconded by: Steph

Motion: Passage as amended

Committee Member

Senator Neal Kedzie, Chair

Senator Cathy Stepp

Senator Dan Kapanke

Senator Roger Breske

Senator Robert Wirch

Aye No Absent Not Voting

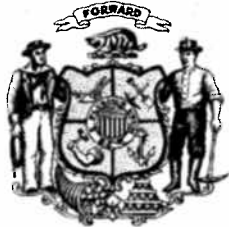
Totals: _____ _____ _____ _____

Motion Carried

Motion Failed



WISCONSIN STATE LEGISLATURE



**Chairman's Notes: Senate Committee on
Natural Resources and Transportation
Public Hearing – January 11, 2005**

- ✓ ● Welcome to today's hearing of the Senate Committee on Natural Resources and Transportation.
- ✓ ● Committee Clerk will take Attendance. The roll will be left open for members who have yet to arrive.
- ✓ ● I would like to remind individuals wishing to testify to fill out a hearing slip and give it to the member of the Sergeant's Staff.

✓ **Senate Bill 162 (Introduced by the Joint Legislative Council)**

Relating to: creating a Council on Transportation Infrastructure in the Department of Transportation.

Summary: This bill creates a 16-member Council on Transportation Infrastructure (council) in the Department of Transportation (DOT). The membership of the council is composed of the following:

- four persons who have knowledge or experience in matters related to transportation infrastructure, appointed by the governor;
- four persons who have knowledge or experience in matters related to transportation infrastructure, of whom one person is appointed by, respectively, the speaker of the assembly, the assembly minority leader, the senate majority leader, and the senate minority leader;
- two state officers with duties related to transportation infrastructure, appointed by the governor;
- the secretary of transportation (secretary) or his or her designee, who serves as the chairperson; and,
- five legislative members, three from the assembly and two from the senate, who serve on standing committees dealing with transportation matters, appointed as are members of legislative standing committees.

The council is authorized to consider and make recommendations to DOT on matters related to transportation infrastructure development, including

intermodal transportation opportunities among railways, highways, waterways, harbors, and airports in this state and between these transportation modes in this state and those of other jurisdictions.

The council may consider and make recommendations to DOT on any matter related to transportation infrastructure development, including:

- opportunities for interaction and interconnection between appropriate modes of transportation;
- the standards and measures by which consumers select modes of transportation;
- the adequacy of infrastructure capacity for all appropriate modes of transportation; and,
- opportunities for cooperation and coordination with other states and provinces in order to improve transportation between Wisconsin and other markets.

Questions:

- How would this council's responsibilities compare to the responsibilities of the Transportation Projects Commission that currently exists?

Senate Bill 480 (Senator Lasee and Representative Petrowski)

Relating to: transporting buildings on the highways and providing penalties.

Summary: This bill prohibits a person from operating a vehicle transporting a building on a highway unless the vehicle is a CMV, the person holds a CDL, and the vehicle is operated under a valid motor carrier certificate of authority, for which all motor carrier insurance requirements are satisfied. This bill does not include manufactured or modular home.

Questions:

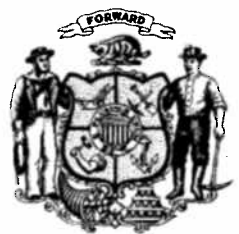
- Why does the bill exempt trucks carrying manufactured or modular homes?
- What does Senate Amendment 1 (authored by Senator Lasee) do?

Senate Bill 485 (Senator Stepp and Rep. Nerison)

Relating to: exempting from motor carrier regulations certain vehicle combinations operated in intrastate commerce.



WISCONSIN STATE LEGISLATURE



Executive Session Notes
January 11, 2006

- Committee Clerk will take Attendance.

Senate Bill 464 (Senator Brown and Rep. Gunderson)

Relating to: authorizing a person to transport an unencased firearm in a motor vehicle under certain circumstances

- MOTION FOR PASSAGE
- SECOND
- DISCUSSION
- ROLE CALL

Assembly Bill 248 (Rep. Hines and Senator Olsen)

Relating to: operation of motorboats by persons who are at least 16 years of age and born after a certain date

- MOTION FOR CONCURRENCE
- SECOND
- DISCUSSION
- ROLE CALL

Assembly Bill 26 (Companion to SB 33; passed 5-0 on October 20) (Rep. Gunderson and Senator Leibham)

Relating to: entering into the wildlife violator compact

- MOTION FOR CONCURRENCE
- SECOND
- DISCUSSION
- ROLE CALL

Assembly Bill 286 (Rep. Kestell and Senator Reynolds)

Relating to: bows used for hunting

- MOTION FOR CONCURRENCE
- SECOND
- DISCUSSION
- ROLE CALL

Senate Bill 162 (Introduced by the Joint Legislative Council)

Relating to: creating a Council on Transportation Infrastructure in the Department of Transportation.

- MOTION FOR PASSAGE
- SECOND
- DISCUSSION
- ROLE CALL

*Amendment -
to create a council
on transportation
infrastructure
in the department of
transportation*

Senate Bill 480 (Senator Lasee and Representative Petrowski)

Relating to: transporting buildings on the highways and providing penalties.

- MOTION FOR ADOPTION OF SENATE AMENDMENT 1
- SECOND
- DISCUSSION
- ROLE CALL
- MOTION FOR PASSAGE AS AMENDED
- SECOND
- DISCUSSION
- ROLE CALL

*Senate
amendment
to...*

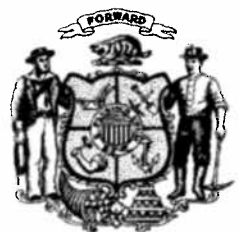
Senate Bill 485 (Senator Stepp and Rep. Nerison)

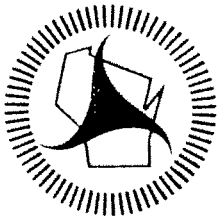
Relating to: exempting from motor carrier regulations certain vehicle combinations operated in intrastate commerce.

- MOTION FOR PASSAGE
- SECOND
- DISCUSSION
- ROLE CALL



WISCONSIN STATE LEGISLATURE





DMV1 1/2003

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**Senate Committee on Natural Resources and Transportation
Hearing, January 11, 2006
Remarks by Carson P. Frazier
Wisconsin Department of Transportation
SB 480**

The Department of Transportation supports this bill.

We wish to thank Senator Lasee and Representative Petrowski, the author of the companion bill AB 898, for this bill. This bill is complex, and we have worked together on the bill for several years, crafting a very good solution to a valid concern about building transport.

This bill establishes requirements designed to improve safety and financial responsibility of building transport.

These provisions apply in addition to any other requirement in state law related to motor carriers, driver licenses, equipment requirements, rules of the road, and in federal law.

We worked hard to clearly define the term "building." The structure dimensions reflect DOT's experience with building transport and load sizes that can create special problems as the load moves on the highway. We clarify that buildings are "raised and supported from an existing foundation and placed on a permanent foundation at a new location." The definition explicitly excludes modular housing or manufactured home – and we are aware that the bill will be amended to exclude "manufactured buildings" also.

The bill amends the definition of "contract motor carrier" to explicitly include transportation of buildings. As motor carriers, building transporters face all motor carrier laws and insurance requirements.

The bill prohibits transporting a building on a highway unless the vehicle is a Commercial Motor Vehicle (CMV) and the operator holds a CDL and the transporter has a valid motor carrier authority. Also, a person may not operate a vehicle transporting a building if a person is in the building; and the operator must stop at railroad crossings. The bill establishes penalties for violating these provisions.



All parties worked hard to determine how best to address the issues. We concluded that, since all building transporters must obtain a permit before they can transport a building, intervention by stringent permit requirements should be effective.

Under the bill, DOT and local highway officials may issue single trip oversize permits for vehicles transporting buildings on highways under their jurisdictions. The bill creates an annual or consecutive month permit for transporting buildings, and authorizes DOT to issue the permit for both state and local highways.

The bill establishes several requirements that the applicant must satisfy, before DOT or local officials may issue permits: the persons who will operate the vehicle all have Commercial Driver Licenses (CDLs) and appropriate endorsements; the applicant has valid motor carrier certificate of authority, and has certain required liability and damage insurance which is in addition to the insurance required as a motor carrier.

In addition, DOT or local officials may deny a permit, if certain other circumstances apply: conviction within the past 3 years of transporting a building without a CDL or motor carrier authority; having engaged in conduct endangering safety of persons using the highways; having previously not paid for damages caused while transporting a building; or having previously abandoned a building on a highway or on public or private property without the property owner's permission.

We worked diligently to find a solution that will not increase DOT workload. We found a solution that will not result in any ongoing cost to DOT.

We do, however, incur a one-time cost of \$18,700 for DP work, to create a building transport permit. We must modify our system to create business rules governing permit eligibility, fee calculations, fee deposits, and similar linkages with other business systems, and to test all changes.

The bill as drafted does not appropriate funds to cover this cost, but we understand that the authors will amend it to make a one-time appropriation to DMV of \$18,700 to cover our cost. We really appreciate this, because with our budget as tight as it is, DMV cannot absorb this cost within our current budget.

We ask your consideration and approval of this bill. The bill is a real testament to how much can be accomplished with a serious, collaborative approach to solving public problems.

Thank you.