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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Transportation, Tourism,
Forestry, and Natural Resources (SC-TTFNR)**

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) (**afr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sfr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Transportation, Tourism, Forestry, and Natural Resources

Senate Bill 562

Relating to: weight limitations for vehicles transporting raw forest products.

By Senators Holperin, Jauch, Hansen, Taylor and Cowles; cosponsored by Representatives Clark, Friske, Sherman, Soletski, Mursau, Bies and Townsend.

February 26, 2010 Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

March 10, 2010 **PUBLIC HEARING HELD**

Present: (5) Senators Holperin, Sullivan, Leibham, Kedzie and Grothman.
Absent: (2) Senators Plale and Hansen.

Appearances For

- Earl Gustafson — Wisconsin Paper Council
- Eric Maki — Midwest Forest Products
- Wayne Hamann — Great Lakes Timber Professionals Association
- Jim Hoppe — Packaging Corporation of America
- Max Erickson — Great Lakes Timber Professionals Association
- Henry Schienebeck — Great Lakes Timber Professionals Association

Appearances Against

- None.

Appearances for Information Only

- Lauri Steeber — WI State Patrol
- Steven Kreebs — WI DOT

Registrations For

- Fred Clark — 42nd Assembly District
- Andrew Cook — Potlatch Corporation
- George Klaetsch — WI Agribusiness Council
- Scott Henker — Plum Creek
- Bill Johnson — Johnson Timber
- Bob Jauch — 25th Senate District
- Rebecca Larson — Xcel Energy

Registrations Against

- Liz Stephens — Wisconsin Counties Association

Registrations for Information Only

- None.

April 1, 2010

EXECUTIVE SESSION HELD

Present: (7) Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Absent: (0) None.

Moved by Senator Sullivan, seconded by Senator Leibham that **Senate Amendment LRB 1914** be recommended for introduction and adoption.

Ayes: (7) Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Noes: (0) None.

INTRODUCTION AND ADOPTION OF SENATE AMENDMENT LRB 1914
RECOMMENDED, Ayes 7, Noes 0

Moved by Senator Kedzie, seconded by Senator Plale that **Senate Amendment LRB 1938** be recommended for introduction and adoption.

Ayes: (7) Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Noes: (0) None.

INTRODUCTION AND ADOPTION OF SENATE AMENDMENT LRB 1938
RECOMMENDED, Ayes 7, Noes 0

Moved by Senator Hansen, seconded by Senator Kedzie that **Senate Bill 562** be recommended for passage as amended.

Ayes: (7) Senators Holperin, Sullivan, Plale, Hansen, Leibham, Kedzie and Grothman.

Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 7, Noes 0

Elizabeth Novak
Committee Clerk





Wisconsin County Forests Association

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www.wisconsincountyforests.com

**WCFA Testimony for
March 10, 2010 Public Hearing of the
Senate Committee on Transportation, Tourism, Forestry, and Natural Resources**

2009 Senate Bill 562

Chair Holperin and members of the Senate Committee on Transportation, Tourism, Forestry, and Natural Resources:

Thank you for the opportunity to provide this testimony on 2009 SB 562. Wisconsin County Forests Association (WCFA) represents the 29 counties in Wisconsin with county forest lands established under state statutes §28.10 & 28.11. Collectively these 29 counties manage nearly 2.4 million acres of forests, the largest public land base in Wisconsin.

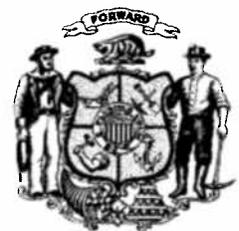
WCFA works closely with Great Lakes Timber Professionals Association (GLTPA) on many issues of importance to Wisconsin's forest products industries. Wisconsin's logging community is an important part of county forest operations. In 2009 the taxpaying residents of our 29 member counties realized over \$30 million in timber sale stumpage revenues, these revenues directly offset our local tax levies.

In light of difficult markets and high fuel costs we believe the proposed legislation will serve to benefit the hard working forest products industry professionals without causing additional damage to transportation infrastructure. WCFA would like to go on record in support of SB562. Once again, thank you for the opportunity to provide this written testimony.

Jane F. Severt
Executive Director
Wisconsin County Forests Association



WISCONSIN STATE LEGISLATURE





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MEMORANDUM

TO: Honorable Members of the Senate Committee on Transportation, Tourism, Forestry, and Natural Resources

FROM: Liz Stephens, Legislative Associate *LS*

DATE: March 10, 2010

SUBJECT: Senate Bill 562

The Wisconsin Counties Association (WCA) and the Wisconsin County Highway Association (WCHA) appreciate the author's willingness to amend Senate Bill 562 to maintain current law with respect to weight limit exemptions on local roads. Precluding local governments from disallowing 98,000 pound vehicles on certain county and town roads during the spring thaw would have had a devastating effect on a county's ability to maintain these roads at a level that is both safe for private citizens to travel on and passable for forestry vehicles and other trucks transporting goods inside Wisconsin. Your consideration of these local conditions is significant.

We also wish to address other safety and maintenance issues that concern our associations and remain in the legislation as amended. Under current law, county highway departments perform all of the maintenance functions on State Trunk Highways (STH) and receive reimbursement from the Department of Transportation through annual routine maintenance agreements (RMA). Passage of this legislation would result in increased maintenance costs for counties on STHs at a time when the Department has dramatically reduced RMAs to counties. In fact, the 2010 RMAs saw a reduction of \$14 million over the prior year.

Additionally, the 2009 Cambridge Systematics report on truck weight limits in Wisconsin identified numerous existing state highways and bridges that are not built to a standard high enough to support overweight loads. While it is true that with the addition of a sixth axle many forestry vehicles can achieve a lower ESAL, the "total load" remains unchanged and can still cause significant and accelerated deterioration of the infrastructure. This is especially true for some of the state's longer bridges that must support the total weight of a vehicle and, in cases of passing vehicles, the total weight of two overweight vehicles.

However, WCA and WCHA also recognize the vital role that the timber industry plays in the economy of northern Wisconsin and that these family-supporting jobs offer numerous residents a higher standard of living. While it is unclear whether continued seasonal weight limits will

result in employment displacement since weight limits of some kind have been in place for decades, the desire to support this industry is of mutual concern. Still, exempting STH from weight limits advantages no one, particularly the forestry industry, if the roadways become impassable.

To ensure that our current infrastructure remains safe and passable, and with the long-term goal of preserving this important industry in mind, WCA and WCHA respectfully request you consider including the following items in Senate Bill 562:

1. Include the term "overweight vehicles" in Chapter 84.07(1b) of the statutes identifying causes that may contribute to a need for emergency repairs. Additionally, as it relates to emergency repairs due to overweight vehicles, direct the Department "to the greatest extent possible" to fill every request for repair.
2. Direct the Department of Transportation to convene a work group made up of stakeholders, including timber professionals, DOT employees, county highway staff, etc. to identify "priority" or "high volume" roads used by the forestry industry. This provision will enable county highway commissioners to better prioritize maintenance needs over the long term.
3. Adopt a sanctions structure sufficient to ensure that there is widespread compliance with the 98,000 pound year-round weight limit. As evidenced by the Department of Transportation's scale collection efforts, it has been determined that up to 80% of all loads are overweight. I have attached a proposed structure for your review. This document represents an outline that was developed in concert with the timber professionals in 2005 during initial conversations on a year round weight limit.

Items #2 and #3 both received significant discussion leading up to the adoption of 2005 Assembly Bill 678. At the time of the debate, it was generally thought that both the county highway commissioners and the timber professionals saw value in both proposals.

Thank you for your consideration of this request.

PROPOSED SANCTIONS STRUCTURE

All trucks will haul the proposed loads through the issuing of a permit.

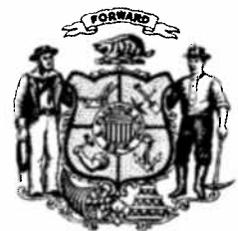
- 1) For the first time a truck is found to have a gross overweight, the permit is suspended for a period of six months.* This would mean that no matter what the permit was issued for, the truck would be allowed to haul only a standard statutory load, for a period of six months. This suspension could not be suspended or reduced by the court system.
- 2) For the second offense, the permit would be suspended for a period of one year.
- 3) Subsequent offenses would result in the suspension of the permit for one year.
- 4) If the truck is found to be over its standard statutory load during a suspended license period, an additional one year would be added to the length of the suspension period.
- 5) Axle overloads will be handled under current regulations
- 6) The operator shall not be given any additional permits for the suspension period.

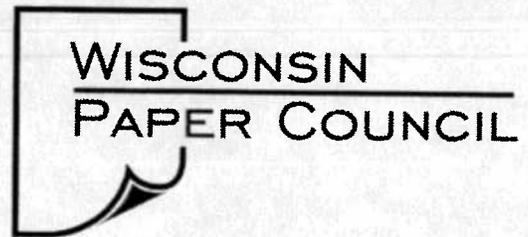
*The permit suspension follows the truck. Another permit cannot be given to the truck for the suspension period. The truck would have to display a "permit suspended" placard for the period while hauling raw forest products.

- a) All overweight fines would be calculated from the unpermitted load capacity. This means that a truck that is permitted to carry 98 kips found to be over the 98 kip load would have the fine calculated on an 80 kip legal permitted load (18,000 lbs. overweight fine).



WISCONSIN STATE LEGISLATURE





MEMORANDUM

March 10, 2010

To: Assembly Committee on Forestry

From: Earl Gustafson
Vice President – Energy, Forestry & Human Resources

Subject: Senate Bill 562

Chairperson Holperin and members of the Senate Committee on Transportation, Tourism, Forestry and Natural Resources, the Wisconsin Paper Council appears today in support of Senate Bill 562.

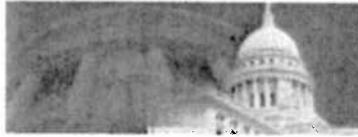
Passage of this proposed legislation will be in the public interest. It will enable Wisconsin's timber producers to transport raw forest products, including pulpwood, cost-effectively and in an energy efficient manner throughout the year. These are two crucial factors if any business is to survive and be successful – and all the more so in our current challenging economy.

Wisconsin's timber haulers provide the raw material utilized by the state's paper industry. Whether our diverse products are manufactured from pulpwood or from recycled paper, their roots are in a forest. We depend on a healthy logging industry to fulfill a crucial role in the forests products' cycle of sustainability – from regeneration to growth, stewardship and productive management – to harvesting and transportation – to primary and secondary manufacturing – to the start of a new cycle beginning anew with regeneration.

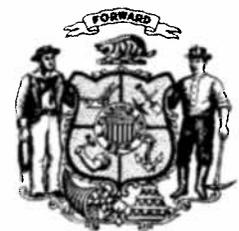
We respectfully urge the Committee on Transportation, Tourism, Forestry and Natural Resources to recommend adoption of SB 562.

Thank you for the opportunity to comment on this important measure.

Earl Gustafson



WISCONSIN STATE LEGISLATURE





March 10, 2010

To: Senate Committee on Transportation, Tourism, Forestry and Natural Resources

From: Jim Hoppe
Mgr., Wood Procurement & Utilization
Packaging Corporation of America

Re: Senate Bill 562

Packaging Corporation of America (PCA) supports Senate Bill 562, relating to weight limitations for vehicles transporting raw forest products.

The PCA Tomahawk Mill purchases 30,000 truckloads of raw forest products annually, converting pulpwood into medium for containerboard and consuming biomass to generate steam. We employ 400 people in Lincoln County WI. Transportation laws have a major impact on our business.

In 2005, Wisconsin Act 167 recognized the lighter footprint and efficiency of the 6 axle - 98,000# raw forest product load. Senate Bill 562 completes this recognition by extending this policy year round. The Truckers, who have reduced their footprint by adding the sixth axle, are at a disadvantage to 5 axle trucks during spring weight restrictions, when gross weights are reduced to 80,000#'s and they are carrying the weight of the additional axle.

Transportation is a critical link in the wood supply chain, comprising one third of virgin fiber cost. Moving forest products in a cost-effective and energy efficient manner enables Wisconsin's Professional Loggers, Truckers and Manufacturers an opportunity to remain competitive.

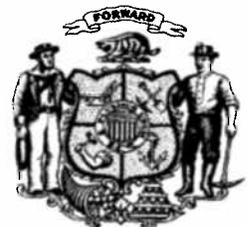
We respectfully encourage the Senate Committee on Transportation, Tourism, Forestry and Natural Resources to support the passage of Senate Bill 562.

Thank you for the opportunity to provide testimony on this important forestry and transportation issue.

A handwritten signature in black ink, appearing to read "Jim Hoppe". The signature is written in a cursive, flowing style.



WISCONSIN STATE LEGISLATURE





March 10, 2010

Committee on Transportation, Tourism, Forestry, and Natural Resources
Senator Jim Holperin (Chair)

Testimony for SB 562

Good morning Mr. Chairman and committee members. My name is Henry Schienebeck and I am here to testify in favor of Senate Bill 562 on behalf of the members of the Great Lakes Timber Professionals Association. It is our request that SB 562 be passed to complete one of the main intentions of ACT 167 which was enacted on March 21st 2006. In a press release dated March 8th 2006, it states, and I quote, "This measure allows logging trucks to carry that weight limit (referring to the 98,000lbs) year long if the trucks are equipped with an extra set of brakes and one additional axle. Adding the axle will significantly help to distribute the weight of the truck more evenly, actually making hauling heavier loads easier on our roads and safer than before".

With the exception of the purpose of SB562 which is to allow log trucks to haul year round on state roads, including the period of spring thaw, Act 167 has been very beneficial to the state of Wisconsin and to the timber industry. Act 167 has lived up to expectations in regards to lowering axle weight on all roads, providing higher fines for violators by more than doubling the cost of a standard fine and giving state enforcement agencies an added tool to target violators through the use of collected weight scale tickets. It has also increased safety with added braking capacity, increased safety by less vehicle miles traveled and reducing the amount of greenhouse gas emissions by burning more than a million and half less gallons of fossil fuel.

Our purpose for requesting SB 562 is to allow the transport of forest products from temporary storage landings located on class A state highways, to receiving facilities such NEWPAGE, Wausau Paper, PCA and others. I want to make it very clear that we are not advocating the use of secondary roads during spring thaw at permitted weights, only class A state highways.

You might ask why the timber industry should be allowed to haul full weight during spring thaw when others cannot and I would like to make a couple of points: Our first point is that the timber industry has one of the only axle weights less than the Federal and State axle weights allowed even during spring thaw. The standard state and federal axle weight year round is 20,000 pounds and our permit allows no more than 18,000 pounds per axle at any given time. Other industries that operate within the state have axle weights that are as high as 25,000 pounds on a single axle.

Another point that we would make is that according to The Transportation Information Center, which is part of the University of Wisconsin, road design is based on ESAL which stands for Equivalent Single Axle Load. The number of ESALS determines the life expectancy of the roads. Depending on trailer type, a standard 5 axle tractor trailer over the road configurations which run 24/7 365 days per year on all roads, has an ESAL rating of 2.4 to 3.2. The configurations the timber industry most commonly uses have ESAL ratings 3.11 and 2.85

(supplied by Wisconsin County Highway Association) respectively for truck and pup and tractor trailer configuration, which is well within the industry standard operating range. It can be stated that the five axle standard truck configuration and the six axle log truck configuration have the same ESAL load ratings, however there is one difference, and that is the amount of freight being moved per load. In order to move the same amount of material that would be moved by the six axle truck in four loads (392,000lbs.) it would take nearly five trucks at the standard gross weight. Wouldn't you agree that if the ESAL ratings are the same, that there will be less road damage caused by four truck trips rather than five? The cost savings would be substantial to the trucking company as well as the Department of Transportation.

With respect to the bridges, an issue that we are already dealing with, a recent WI DOT Truck Size and Weight study recently completed in 2009, also supports the benefits of the six axle configuration in both safety and efficiency in moving product.

Mr. Chairman and committee members, we cannot stress enough the importance of the passage of this legislation. As we see it this is a win, win for everyone. To keep one of the few industries in Wisconsin that has economic opportunities to expand in biomass, biofuels and other areas it is imperative that we are as efficient as possible in all areas especially in transportation. AB761 will add efficiency to transportation with no additional costs to the taxpayers for road maintenance and repair, it will add safety by decreasing the number of truck miles traveled, and it will most certainly reduce the amount of greenhouse gas emissions for cleaner air.

In closing we would like to thank the committee for taking a pro-active approach to insuring that the forestry industry remains a key component to the state's economy and I will be happy to answer any questions.

Respectfully submitted on behalf of the GLTPA,

Henry Schienebeck

Henry Schienebeck
Executive Director
Great Lakes Timber Professionals Association.

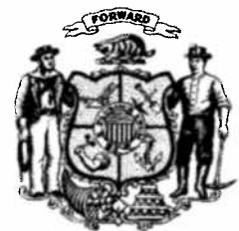
DOT:

- Reload option. Doesn't like the precedent.
- No position

- added info on "load shifting"
- 8-9 cords / 5 axle truck 12-3 w/6 axles
- 3 truckloads @ 98k. vs. 4 1/2 @ 80k.
- gotta haul around a 2,000 lb axle during spring thaw
- 58.3# / sq. inch w/80k 58.5* / sq. inch tire to road contact pressure @ 98k.



WISCONSIN STATE LEGISLATURE





FRED CLARK

Serving Adams, Columbia, Marquette & Sauk Counties

STATE REPRESENTATIVE ♦ 42ND ASSEMBLY DISTRICT

Public Hearing
Committee on Transportation, Tourism,
Forestry, and Natural Resources
Wednesday, March 10th, 2010
10:00am, Rm. 201 SE

Rep. Fred Clark's Testimony for SB 562

SB 562 would change how Wisconsin assesses weight limits on roadways throughout the state year round. The problem this legislation addresses arises out of the difficulty logging operations encounter when transporting logs to the mill. The bill makes modifications to weight limit regulations for vehicles hauling raw forest products.

SB 562 would allow logging trucks the flexibility of using a six-axle vehicle to carry more weight on Wisconsin roadways. By allowing more weight on more axels we can better preserve roads, allow less road time for logging trucks, and give independent logging outfits another tool in the toolbox for making it through tough economic times.

This legislation would allow raw forest product haulers with a 98,000 lb RS permit to continue hauling 98,000 lbs throughout the year. These trucks must have six axles rather than the usual five. The additional axle disperses the pounds per square inch (called Equalized Standard Axle Loads: ESALs). More poundage spread across an additional axle does less damage than many trucks carrying 80,000 lbs on five axles.

Both the federal government and the State of Wisconsin have set their individual axle weight limits at 20,000 lbs per axle. A six-axle truck carrying 98,000 lbs is well below that limit by 18,000 lbs.

Another portion of the bill allows raw forest product haulers to reload if the vehicles per-axle weight is over limit by less than 2,000 pounds. If the hauler chooses not to reload, they can opt to pay a \$50 forfeiture instead, similar to current law for other vehicles. We believe this option should be available to all raw forest product haulers, especially those doing less damage to the State's roads.

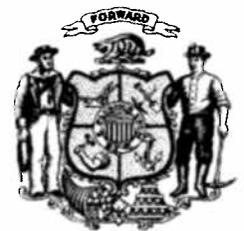
Helping Wisconsin business weather this difficult recession means we need to give small companies the flexibility to increase profit margins. Wisconsin's two largest sectors of the economy, agriculture and forestry, are very similar. They are comprised of independent, small-scale operations that try to maximize all options available. Just like farmers, Wisconsin loggers are feeling the squeeze of this economy. Lumber prices are down, fuel prices are rising and our forestry industry desperately needs opportunities to make ends meet. Transportation is a key component to a logger's long-term success and this legislation gives them a hand.

We understand the concerns from the local governments, especially regarding the seasonal postings for the spring break up. The Assembly Forestry Committee recognized this oversight in the bill, so we are in the process of drafting an amendment which protects the local government's authority to post local roads during the spring break up.

I can assure you that we will continue collaborating with our hard-working loggers and local governments to find the solutions we need for keeping Wisconsin businesses moving through these difficult economic times.



WISCONSIN STATE LEGISLATURE



Novak, Elizabeth

From: Johnson, Julie - DOT [Julie1.Johnson@dot.wi.gov]
Sent: Tuesday, April 13, 2010 2:10 PM
To: Novak, Elizabeth
Subject: Emailing: View Estimate.htm
Attachments: SB262 FE Attachment.doc

Hi Liz.....sorry for the delay. I just submitted this through the fiscal estimate system and am emailing it to you. I've also attached the attachment as a WORD document.

Jewels

Wisconsin Department of Administration
 Division of Executive Budget and Finance

Fiscal Estimate - 2009 Session

Original Updated Corrected Supplemental

LRB Number 09-3937/1		Introduction Number SB-562	
Description Weight limitations for vehicles transporting raw forest products			
Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs	
Local:			
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEGS		20.395(cq)(cx) and (eq)	

Agency/Prepared By	Authorized Signature	Date
DOT/ Scott Bush (608) 266-8666	Julie Johnson (608) 267-3703	4/13/2010

Fiscal Estimate Narratives

DOT 4/13/2010

LRB Number 09-3937/1	Introduction Number SB-562	Estimate Type Original
Description Weight limitations for vehicles transporting raw forest products		

Assumptions Used in Arriving at Fiscal Estimate

The bill as written allows for 98,000 pound log trucks to operate essentially year round, and specifically during spring thaw. It also provides 98,000 pound trucks that are overloaded on some axles with the opportunity to continue to operate in this improperly loaded condition for a nominal fine. The findings in this report suggest that this bill would be detrimental to pavements and bridges if the 98,000 pound trucks are allowed to operate during spring thaw and if the trucks are allowed to run while improperly loaded.

Bridges

The challenge of this bill to the WisDOT Bureau of Structures was to provide a systematic way to evaluate the effect of adding 2 kips (1 kip = 1000 lbs) per axle to the vehicles authorized by permit to transport raw forest products at 90,000 pounds on five axles and up to 98,000 pounds on six axles.

The department developed these two vehicles as representative lumber hauling vehicles. These vehicles were utilized to follow a systematic process to evaluate the 98,000 pound truck for 2005 Act 167. This analysis resulted in the department posting 57 bridges (state system) in 2006. These posted bridges are based on a snapshot in time (2006). Since that date a number of those 57 bridges may have been replaced or other bridges may be posted. Local units of government also posted many bridges over the last few years as a result of Act 167.

Before looking into the structural analysis, a simple approximation of how the provision allowing reloading of up to 2,000 pounds per axle could affect the percent increase of weight on certain sections of these trucks. This is described below for both vehicles using a maximum 2,000 pound per axle variance:

PUP: The portion of the truck would increase by 12.5 percent if all three axles are increased by 2 Kips and the trailer axles are reduced by 3 Kips.

Semi: The effect would be an 11.6 percent by increasing the tandem or the tri-axle. This shifts the effect in the truck and changes the magnitudes of the loads in the truck.

The reloading provision, to the extent that individual axle weights may be corrected in the field, is expected to have a large effect on the stresses imposed on bridges and will result in an increase in the number of posted bridges. The department did an extensive analysis (over 5,000 bridges) of this bill utilizing primarily state owned bridges. The analysis looked at the impact of allowing certain axles to increase by 2 Kips while leaving the Gross Vehicle Weight (GVW) constant. The department used the Chapter 45 process from the "Wisconsin Bridge Manual" to rate the bridges.

The analysis indicates that nine additional state structures will need to be posted. Each of these structures would have to be looked at in much closer detail before calculating the appropriate posting sign. It is not known at this time what the impact to local bridges would be.

Pavements

4/13/2010

The pavement design area completed a general impact analysis of this proposal. A very detailed and definitive analysis was not possible due to the lack of proposal details. Completion of this in-depth analysis would require more detailed information about the proposed roadways affected and the total number of anticipated trips. This information is not available at the present time.

Of greatest importance is the inability to model the decreased spring soil strengths that are key factors in estimating the additional deterioration to pavements that would occur from changing the law such that larger numbers of heavier loads would be moved during the thaw period, and by increasing the gross vehicle loads during that vulnerable period. The complexities of the many different soil types and roadway subbases that have differing levels of stability during the thaw period prevent a definitive estimate of the additional pavement impacts from this proposal.

There has been considerable research done on the subject of pavement strength reduction due to spring thaw. Minnesota Department of Transportation has completed some of this work. Minnesota's research on this topic yields some very informative aspects of reduced load carrying capacity of a pavement in the spring during thaw and the resultant increase in damage. For example they report that "The damage that occurs during each day in the spring is about 5 times greater than the damage that occurs during each day in summer." (1). They also state in another report that "for the same loads and traffic volumes, about 10 percent of the total annual damage occurs each week during spring". Based on a spring thaw period of 7 to 8 weeks, the damage done to the highway during this time period equals 70 to 80% of the total damage done during the year. (2).

Aside from the seasonally specific impacts, a general analysis was completed, using some basic assumptions described below. This analysis supports the conclusions reached in previous work by the department with regard to the importance of axle weights and spacing and the potential, in certain circumstances and with proper criteria for the vehicle configuration and loading to increase gross vehicle weights without having negative impacts on pavements. However, the proposal now under consideration is not about that general case, but rather the special circumstance of loadings during the thaw period. Careful review of this analysis is warranted, since the cumulative impact of this proposal is highly dependent on the analysis assumptions used.

The analysis was completed for two different scenarios:

1. The total number of loads of 80,000 pounds GVW (5-axle) or 98,000 pounds GVW (6-axle) vehicles remains constant (the total amount of product moved increases, due to the heavier-loaded trucks).
2. The total amount of product carried remains constant (fewer 98,000 pound loads needed to move the total amount of product).

Basic assumptions used for both scenarios:

- Current 80,000 pound GVW truck rate is 100 trucks per day. This number of trucks is for illustrative purposes and to compare relative changes; it does not reflect an estimation of the total or differential truck trips related to the influence of the proposed change in law.
- Fifty days of spring thaw conditions per year.
- The estimated Equivalent Single Axle Loads (ESAL) for roadways is 1 million, over a 20 year design life. (50,000 ESALs per year.)
- A 80,000 pound GVW truck carries 46,000 pounds of load, while a 98,000 pound GVW truck carries 62,000 pounds of load.

Scenario 1 - Assumes a constant number of loads:

Current (80,000 pound GVW)	Proposed (98,000 pound GVW)
100 trucks/day (5-axle)	100 trucks/day (6-axle)
2.47 ESALs(3) per truck	2.84 ESALs per truck
247 ESALs per day	284 ESALs per day

Scenario 1 identifies 37 additional ESALs per day. Assuming 50 days for the spring thaw, this equates to an increase of 1,850 ESALs during the spring thaw period. The 1,850 additional ESALs for 98,000 pound GVW trucks is a 3.7% increase over the annual 50,000 ESAL rate. This translates to reducing the expected pavement life from 20 years to 19.3 years.

Scenario 2 - Assumes the total amount of product moved is constant:

Current (80,000 pound GVW)	Proposed (98,000 pound GVW)
100 trucks/day (5-axle)	75 trucks/day (6-axle)
2.47 ESALs per truck	2.84 ESALs per truck

247 ESALs per day 213

Scenario 2 identifies 34 less ESALS per day. Assuming 50 days for the spring thaw, this equates to 1,700 less ESALs during the spring thaw period. The 1,700 fewer ESALs for 98,000 pound GVW trucks is a 3.4% decrease over the annual 50,000 ESAL rate. This translates to an increase in the expected pavement life from 20 years to 20.7 years.

When investigating the potential pavement effects of the proposed bill, there are two other factors that must also be taken into account, including seasonal influences and load distribution influences. The support of the pavement structure is heavily dependent on the soil underneath it. During the period of spring thaw, this soil is in a saturated condition, which results in a material that provides less support than at other times of the year. Therefore any additional ESAL loads during the thaw season will have a greater detrimental impact on pavement life and performance than at other times during the year. The "AASHTO Guide for Design of Pavement Structures (1993)" states that the strength of the soils during the thaw weakening period may be as little as 20-50% of the normal strength. The Guide also states "Periods of thawing are among the most critical phases in the annual cycle of environmental changes affecting pavements in seasonal frost areas." It also goes on to state "In areas of deep frost penetration, the period of complete thawing of thicker pavement structures in the spring is usually the most damaging type of thaw period because it affects the roadbed as well as the sub base and base layers."

An additional influencing factor involves the distribution of load among an individual truck's axles. ESAL calculations are dependent on how the individual trucks axles are loaded. Axle load variances will result in changes to the ESAL factors.

* { The presented analyses, based on the assumptions given, indicate that the potential pavement impacts of this proposal are highly dependent on the assumptions used. Results indicate that the pavement impacts could range from a 0.7 year reduction to a 0.7 year increase in pavement life.

It was not possible to model the decreased spring soil strengths in the two analyses, but it is apparent that any additional ESALs during this spring thaw period will significantly compound any detrimental pavement impacts presented above.

References and Notes:

1. Spring Load Restrictions, Technical Fact Sheet. Published by Minnesota Department of Transportation's Materials and Road Research Section.
2. Ovik, J. M., Siekmeier, J. A., and Van Deusen, D. A., "Improved Spring Load Restriction Guidelines Using Mechanistic Analysis", Minnesota Department of Transportation, page 61.
3. All ESAL calculations in this analysis are based on the axle load equivalency factors in Appendix D of AASHTO Guide for Design of Pavement Structures, 1993.

Highway Operations and Safety

Under the current provisions of s. 348.21(2) (b), commonly referred to as the "Reload Option", no forfeiture may be imposed if a vehicle's axle or axle group weight exceeds what is allowed by law by not more than 2,000 pounds and the vehicle's load can be "reloaded" within the normal load carrying area of the vehicle so that all axle or axle groups are within the statutory limits. This subsection also provides the option that a vehicle which is not reloaded may continue to operate on the highway, but a forfeiture of \$50.00 (\$200.50 with associated costs) shall be imposed for failure to reload.

The Reload Option is not applicable to all overweight situations. It is applicable only to those vehicles operating under the provisions of s. 348.15(3) Class A highway weights, s. 348.16 Class B highway weights and s. 348.175 the "Frozen Road" declaration. The Reload Option is not applicable to overweight situations where the vehicle is operating under an overweight permit issued under s. 348.26 Single Trip Permits or s. 348.27 Annual, Consecutive Month or Multiple Trip Permits.

SB 562 proposes to add s. 348.27(9m) (a) 4 to the current three sections to which the Reload Option is applicable. If SB 562 is passed with this change, the 98,000 pound raw forest products overweight permit as authorized in s. 348.27(9m)(a)4, will become the first overweight permit that provides for the Reload Option.

SEE ATTACHMENT

Effect of Assembly Amendment 1 to the Analysis of Companion Bill AB 778

Amendment 1 adds sanctions to a person operating under the permit who does not comply with the permit requirements. Amendment 1 does not impact the analysis of the report.

Effect of Assembly Amendment 2 to the Analysis of Companion Bill AB 778

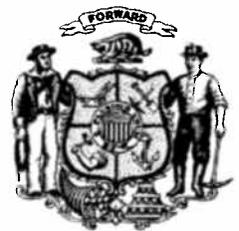
Amendment 2 limits the bill to only state trunk highways and connecting highways. Connecting highways are under the maintenance authority of local municipalities, which could result in more revenues being shifted to locals to address the costs associated with increased maintenance and replacement costs projected in this report.

Long-Range Fiscal Implications

While there is not a definitive identifiable incremental cost for accelerated pavement deterioration or bridge costs, it is clear that the greatest period of damage to pavements is precisely during the vulnerable spring thaw period and additional weight during this period will reduce pavement longevity. Bridge costs are increased as a result of the provision that allows for reloading at the time of an enforcement stop in order to meet axle weight restrictions. The provision removes the important incentive to comply with axle weight limits that are critical to determining the impact of loads on bridges. Enforcement capacity is limited. The nominal fees in cases where mis-loads are cited and the carrier elects to pay the fine rather than adjust the load would not be sufficient to encourage compliance or to avoid the reduction in pavement life and accelerated bridge maintenance and replacement costs.



WISCONSIN STATE LEGISLATURE



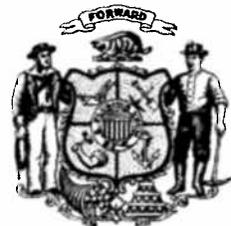
Date ?

SB 562 folder

<i>Mill Location</i>	<i>Time Period</i>	<i>98,020-99,980 pounds</i>	<i>100,000 pounds and above</i>	<i>Total</i>	<i>Highest Weight</i>
Louisiana-Pacific Hayward	September 2009	152	49	201	104,340 pounds
Louisiana-Pacific Hayward	October 2009	201	87	288	104,280 pounds
Louisiana-Pacific Hayward	December 2009	384	155	539	106,260 pounds
Louisiana-Pacific Hayward	February 2010	629	272	901	108,640 pounds
Packaging Corporation Of America Tomahawk	February 15 - March 17 2010	183	240	423	117,240 pounds
Biewer Lumber Prentice	February 01- February 28 2010	241	201	442	113,500 pounds
Biewer Lumber Prentice	March 01- March 16 2010	77	54	131	113,200 pounds



WISCONSIN STATE LEGISLATURE



March 8, 2006

SB 562
folder

Jauch, Sherman Pass Forestry Trucking Bill

Madison — During yesterday's legislative floor period, State Senator Bob **Jauch** (D-Poplar) and State Representative Gary Sherman (D-Port Wing) pushed through a bill which will ensure that area loggers will be able to compete in today's global marketplace.

"The logging industry is the number two industry in our state and the linchpin of our manufacturing base. Since 2000, over 15,000 jobs have been lost due to global competition and increased fuel costs. For example, Smart Papers in Park Falls was forced to close its pulping operation and may be cutting back further. In just that one mill, over 300 area jobs are at risk. We need to take action before it becomes too late," explained **Jauch**.

Assembly Bill 678, on which **Jauch** and Sherman have worked for two legislative sessions, passed the Senate in its final hurdle before reaching Governor Jim Doyle's desk. The measure increases the **weight** logging trucks may carry if they add an additional axle and obtain a permit.

Under current law, trucks can carry 98,000 lbs. of cargo for four winter months each year. This measure allows logging trucks to carry that **weight limit** year-long if the trucks are equipped with an extra set of brakes and one additional axle. Adding the axle will significantly help to distribute the **weight** of the **truck** more evenly, actually making hauling heavy loads easier on our roads and safer than before. Moreover, industry representatives estimate that the changes will save approximately 26,600 logging **truck** trips each year.

4/14/2009

"It has been a long haul," Sherman said, "But we are finally nearing the end." Sen. **Jauch** and Rep. Sherman collaborated on the bill with their colleague on the other side of the aisle, Rep. Donald Friske (R - Merrill), who shares their commitment to maintain a healthy logging industry in Wisconsin. "With the virtual disappearance of railroads in the North," Sherman continued, "increased trucking capacity is essential for the forest products industry to remain economically viable."

To ensure compliance within the industry, the bill doubles overweight penalties. Both **Jauch** and Sherman lobbied for even stricter penalties, which the industry supported. The amounts reached were the result of weeks of compromise among legislators, state and county officials, and industry representatives. But all agree that the issue of penalties may be revisited in the future.

AB 678 will also allow the affected counties to keep the forfeitures for penalties in exchange for providing enforcement of the new requirements.

The measure has been sent to Gov. Doyle and it is expected that he will sign it into law.



MEMORANDUM

TO: Wisconsin Circuit Court Judges
Wisconsin District Attorneys

FROM: William Hennigan, Timber Producers Association of Wisconsin
Mark D. O'Connell, Wisconsin Counties Association
Daniel Fedderly, Wisconsin County Highway Association
Matt Jensen, Wisconsin Professional Loggers Association

DATE: June 13, 2006

SUBJECT: Log Truck Weight Violations

As you may be aware, 2005 Assembly Bill 678 (now 2005 Wisconsin Act 167) was recently signed into law by Governor Doyle. 2005 Wisconsin Act 167 increases the allowable weight for trucks that transport forestry products to 98,000 lbs, as long as the particular truck is fitted with an additional axle. The increase in allowable weight places the existing frozen road weight limit as the year round weight limit on state and local roads. In addition, 2005 Wisconsin Act 167 requires the recording of weight slips at mills and provides law enforcement entities with the ability to inspect the weight slips at their discretion.

The Wisconsin Counties Association and the Wisconsin County Highway Association advocated for more severe fines in 2005 Assembly Bill 678 during the legislative process. Both organizations felt strongly that severe fines would serve as a deterrent and disincentive to violate the conditions set forth by the bill. The fines created by Act 167 for over weight trucks are in some cases larger than the fines for violating previous statutory weight limits, however all groups feel they do not go far enough.

To that end, the Timber Producers Association of Wisconsin, the Wisconsin Counties Association, the Wisconsin County Highway Association and the Wisconsin Professional Loggers Association are respectfully requesting that you impose strict enforcement of fines due to the violations of existing weight limits on state and local roads as well as fines due to the violations of the conditions of 2005 Wisconsin Act 167. Your assistance on this matter will serve as a disincentive for truckers to violate weight limits and will help provide a fair and consistent penalty enforcement structure for the forestry and trucking industries. Further, your assistance on this important matter will help preserve state and local transportation infrastructure, protect public safety, and save limited local government resources.

Thank you in advance for your support on this important matter.

Representative Donald Friske

35th Assembly District

March 21, 2006 ... FOR IMMEDIATE RELEASE

FOR MORE INFORMATION CONTACT: Representative Friske (888) 534-0035 or (715) 536-4515
Rep.Friske@legis.state.wi.us or www.FriskeNet.net

Friske Forestry, Trucking Bills Signed Into Law

Madison ... Governor Jim Doyle signed two major forestry related bills today in the Wisconsin State Capitol. The bills, authored by Representative Don Friske (Merrill), help protect the environmental and economic health of Northern Wisconsin as well as the people around the state who depend on a strong manufacturing and tourist economic base.

“The State recognizes the importance of a solid manufacturing infrastructure as being a key component of Wisconsin’s economy,” Friske said. “These bills are a major step to ensuring access to an affordable wood supply and the overall health of the forest.”

Assembly Bill (AB) 254 makes changes to the way the State manages all of its timberlands to prevent forest disease, fire and infestations from taking hold in its forests and threatening the neighboring private lands. The bill was developed by a special task force headed up by Friske in 2004. Lincoln county board member Elroy Schmidt (Merrill) and Packaging Corporation of America employee Don Nelson (Tomahawk) were appointed by Friske to serve on the panel, as well.

“Elroy Schmidt and Don Nelson were essential in the development of this law,” Friske said. “Their insight helped the Task Force get to the heart of the problems inherent in the way the State goes about managing a large portion of its assets.”

“The State needs to assure the public it is doing everything necessary to protect its lands as well as private and county forest properties neighboring the State’s lands,” Friske said. “There is no excuse for letting timberlands deteriorate and my bill implements accountability to keep pressure on DNR to truly manage the lands we put them in charge of.”

AB 678 allows trucks carrying raw forest products to weigh 98,000 pounds year round when they add a sixth axle to their trucks. The bill will help ensure a reliable stream of raw forest product to keep Wisconsin’s best paying jobs in Wisconsin.

“The two biggest costs to loggers and mills are transportation and stumpage costs,” Friske said. “AB 678 reduces those overhead costs and encourages compliance with the new weight limits through increased penalties and enforcement tools.”

AB 678 adjusts the penalties for inflation for logging truck weight violations and separates them out from the rest of the trucks on State and County roads. The bill also allows for tickets to be issued for violations of individual axle weight violations rather than just gross weight violations under previous law.

“This is a great day for the men and women in Wisconsin who manage Wisconsin’s greatest renewable resource, its timberlands,” Friske said.

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Wisconsin State Assembly

Representative Donald Friske

&

Representative Gary Sherman

January 26, 2006 ... FOR IMMEDIATE RELEASE

FOR MORE INFORMATION CONTACT:

Representative Friske (888) 534-0035 or (715) 536-4515 Rep.Friske@legis.state.wi.us or www.FriskeNet.net

Representative Sherman (888) 534-0034 or (715) 774-3691 Rep.Sherman@legis.state.wi.us

Bi-Partisan Forestry Trucking Bill Passes Transportation Committee Quickly Scheduled For Assembly Vote

Madison ... Representative Donald Friske (R – Merrill) and Representative Gary Sherman (D – Port Wing) are pleased to announce the passage out of committee of Assembly Bill (AB) 678 Thursday morning. The bill increases the weight logging trucks may carry if they add an additional axle and obtain a permit. The bill also increases penalties for violations of the new permit.

“The railroads have abandoned our industry in the Northwoods,” Friske/Sherman said. “This will re-energize transportation competition and opportunity for business to maintain the Northwoods quality-of-life and working forests that depend on the ability to get products to the mills and Southern Wisconsin markets.”

The Department of Transportation (DOT) originally brought a proposal to the legislators proposing an increase to 120,000 pounds with the addition of two axles. Sherman and Friske negotiated with the Wisconsin County Highway Commissioners Association (WCHCA) to limit the increase to only 98,000 pounds with one additional axle. DOT and WCHCA provided a study that indicated an overall improvement to Wisconsin roads due to the decreased pressure on the road and fewer trucks on the roads.

“This bill is a great example of how Democrats and Republicans can work together to make government work better for the people of Wisconsin,” Sherman said. “Together, we have found a way to encourage local enforcement by sending 100-percent of the increased fines to local transportation budgets.”

AB 678 requires sawmills and paper mills to retain individual truck weight scale records for thirty days. Law enforcement, including DOT troopers and county sheriffs, may inspect and keep those records on hand.

“This bill creates an incentive for log truck haulers to keep quality roads and economics a priority as they keep Northern Wisconsin working,” Friske/Sherman said.

Shortly after the unanimous Transportation Committee vote, AB 678 was scheduled for a vote by the full Wisconsin State Assembly on Tuesday January 31st.

“Wisconsin loggers and wood haulers came to the Capitol in March 2005 for ‘Logger Appreciation Day,’ Sherman said. “Forestry has been Northern Wisconsin’s main industry for over 100 years, we need to pass this bill to help insure they are here for the next 100 years of sustainable forestry in Wisconsin as well.”

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