

2011 DRAFTING REQUEST

Senate Amendment (SA-SB261)

Received: 11/11/2011

Received By: **agary**

Wanted: **As time permits**

Companion to LRB:

For: **Sheila Harsdorf (608) 266-7745**

By/Representing: **Matt Wuebke**

May Contact:

Drafter: **agary**

Subject: **Transportation - motor vehicles
Transportation - traffic laws**

Addl. Drafters:

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Sen.Harsdorf@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Three-vehicle combinations

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>
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FE Sent For:

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FE Sent For:

11/15 PH
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Gary, Aaron

From: Wuebke, Matt
Sent: Thursday, November 10, 2011 1:44 PM
To: Gary, Aaron
Subject: SB 261/LRB-2993 amendment

Hi Aaron,

We would like to draft an amendment to the legislation you put together for us relating to three-vehicle combinations for recreational vehicles. I've attached some input from the DOT below for your use in putting together the amendment. Basically there are four changes we would like drafted in the amendment:

1. An inclement and adverse weather conditions clause that is included in other three-vehicle combination laws,
2. A braking system requirement as is required under other three-vehicle combination laws and similar to AB 267,
3. A prohibition on using this law for transporting equestrian equipment or supplies for commercial purposes – clarify that equestrian equipment under this law is only for recreational purposes, and
4. Not sure if there is a good way to get at this, but DOT raised the issue of campers that are combination horse trailers and campers. I'm not familiar with these vehicles, but DOT wanted clarification that this is an acceptable vehicle under this legislation.

Let me know if you have any thoughts or concerns on this. Please send the amendment over initially as a preliminary draft in case further changes are brought to our attention. Feel free to contact the DOT if you would like to get more input from them on their thoughts below. We are working with Reed McGinn at the DMV on this.

Thanks,
Matt

Matt Wuebke
Office of Sen. Sheila Harsdorf

It is not clear if the intent of this proposal is to allow horse RV/Camper combination vehicles (i.e. sleeping space for humans and horses). Such vehicles do exist, and that seems to be the logical implication of this proposal. If allowing horse RV/Camper combinations as the second towed vehicle is the intention, we suggest the bill should make this clear.

There is concern that this proposal allowing the third towed vehicle to carry equestrian equipment or supplies could be used by trade show participants. This type of use could greatly expand the purpose of the transport well beyond its recreational purpose and into the realm of commerce. Someone could attach behind a traditional towed RV a trailer carrying equestrian wares and travel from show to show. If the intent is to allow horse/RV Camper combinations, a possible solution is to require that the RV/Camper is designed for the transport of horses in order for the third towed vehicle to be a trailer carrying equestrian supplies or equipment.

During discussions for crafting the drafting instructions that became SB 194 and AB 267, the Department agreed that transport of miscellany in/on the final towed unit was undesirable due to concerns regarding the ability to properly secure the load and monitor while in transit.

The analysis states that this bill does not modify current law provisions for operating a three-vehicle combination under an annual or consecutive month permit. This proposal is not in harmony with the requirements of current three vehicle combinations. Current law requires a braking system on one of the trailers for it to be 65 feet in length. AB 267 requires a braking system on one of the towed vehicles if the total weight of all towed vehicles, including load, exceeds 3,000 pounds. This proposal has no braking requirements. We are not certain if this was by omission or determined not necessary by this proposals requirement of a 5th wheel and kingpin connection.

This proposal also lacks the inclement and adverse weather conditions that currently exists for current three vehicle combinations, perhaps this was an oversight but this should be added.

The requirement for the operator to be 18 years of age is not a concern. Increasing the overall length to 70 feet with a 5th wheel is also not a concern.



in
11/15
wanted
by 11/18

JLD

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT,
TO 2011 SENATE BILL 261**

D-Note

- 1 At the locations indicated, amend the bill as follows: ✓
- 2 **1.** Page 2, line 1: delete lines 1 to 6. ✓
- 3 **2.** Page 2, line 13: delete "and" and substitute "including any combination
4 camping-horse trailer,". ✓
- 5 **3.** Page 2, line 14: after "supplies" insert "for recreational purposes, and the
6 2nd or 3rd ✓ vehicle in the 3-vehicle ✓ combination is equipped with brakes if the total
7 weight, including any load, of all towed vehicles exceeds 3,000 ✓ pounds. No 3-vehicle
8 combination may operate under this paragraph ✓ if highway or weather conditions
9 include heavy snow, freezing rain, icy roads, high winds, limited visibility, or upon
10 a highway that is closed or partially closed by the department ✓ due to highway
11 conditions". ✓

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa2002/P1dn

ARG:.....

date

JKL

✓
ATTN: Matt Wobke

Please review the attached draft ^{e amendment} carefully to ensure that it is consistent with your intent.

In addition to the items in the instructions, I deleted bill section 1 because this material was enacted in 2011 Wisconsin Act 59.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft ^{e amendment}.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

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FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa2002/P1dn
ARG:jld:ph

November 15, 2011

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Please let me know if you would like any changes made to the attached amendment or if you have any questions. If the attached amendment meets with your approval, let me know and I will convert it to an introducible "/1" amendment.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

a 2002

Gary, Aaron

From: Wuebke, Matt
Sent: Friday, December 16, 2011 1:21 PM
To: Gary, Aaron
Subject: RE: SB 261 amendment

Thanks, Aaron. I agree, if this issue comes up in Committee and they want to address it, we will deal with it at that time.

If you could prepare that amendment for us for introduction and send it over, that would be great.

Thanks again,
Matt

From: Gary, Aaron
Sent: Wednesday, December 14, 2011 6:47 PM
To: Wuebke, Matt
Subject: RE: SB 261 amendment

Hi Matt,

I don't think a definition is strictly necessary, but I am also unaware of the extent to which there is a common public understanding of the term. If I recall correctly, the issue of dual camping-horse trailers originated with DOT. I can add a definition if you'd like, but I'm not in a position to offer the substance of the definition, since I'm not familiar with this type of vehicle. If DOT would like to see the term defined, perhaps DOT can suggest a definition, and I can work with that.

Aaron

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

From: Wuebke, Matt
Sent: Wednesday, December 14, 2011 5:52 PM
To: Gary, Aaron
Subject: SB 261 amendment

Hi Aaron,

We ran the amendment we requested from you by DOT and they had a suggestion relating to the dual human/horse trailer part. The Department was supportive of defining that type of vehicle in statute to ensure clarity. I have attached their comments below for your review. Could you advise as to if you think that is necessary and any suggestions you might have on how it could be defined?

Thanks,
Matt Wuebke
Office of Sen. Sheila Harsdorf

Recommend that "camping-horse trailer" be defined in statute. "Camping trailer" is defined in 340.01(6m) and says "...designed for human habitation..." While we are aware that vehicle registration policy has been developed to determine how much floor or cubic space must be available for human habitation in a dual-use trailer, it would be clearer if there was a statutory definition of "camping-horse trailer".

12/19/2011



State of Wisconsin
2011 - 2012 LEGISLATURE

TODAY



LRBa2002/11
ARG:jld:ph

in
12/19

CMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

**SENATE AMENDMENT ,
TO 2011 SENATE BILL 261**

No changes

✓

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12

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(END)