

## 2011 DRAFTING REQUEST

### Bill

Received: 08/15/2011

Received By: agary

Wanted: As time permits

Companion to LRB:

For: Jerry Petrowski (608) 266-1182

By/Representing: Tim Fiocchi

May Contact:

Drafter: agary

Subject: Transportation - motor vehicles  
Transportation - traffic laws

Addl. Drafters:

Extra Copies: EVM

Submit via email: YES

Requester's email: Rep.Petrowski@legis.wisconsin.gov

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

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### Pre Topic:

No specific pre topic given

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### Topic:

Three vehicle combinations

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### Instructions:

See attached

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### 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>
/?				_____			State
/P1	agary 08/16/2011	jdyer 08/17/2011	rschluet 08/17/2011	_____	sbasford 08/17/2011		State
/1	agary 09/07/2011	kfollett 09/07/2011	jfrantze 09/07/2011	_____	mbarman 09/07/2011	mbarman 09/07/2011	

FE Sent For:

→ At Intro.

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FE Sent For:		1/1/5f 9/7	86 9/7	<END>			

PA's :-  
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1?	agary	PI 8/17 JLD		_____	_____		

FE Sent For:

<END>

**Gary, Aaron**

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**From:** Fiocchi, Tim  
**Sent:** Friday, August 12, 2011 2:46 PM  
**To:** Gary, Aaron  
**Subject:** Freight Drafting Instructions  
**Attachments:** DRAFT5v3.docx; Singlev1.docx; WI PandPdraft5 (2).docx

### **Three-Vehicle Recreational Permit Change**

**Purpose of Permit:** Combinations of more than two vehicles are exceptions to normal vehicle configuration and must be allowed by explicit statutory provision. This permit is intended to facilitate tourism by authorizing towing of both temporary sleeping quarters and a trailer laden with vehicles often used while camping or in outdoor recreation.

**Policy Goal:** Rationalizing vehicle size and weight regulation by eliminating an overweight/overweight permit when a permit does not advance safe operation; similar transport in nearby states does not require a permit and/or permit no longer supports the original business purpose.

**Reason for Change:** 1) This is the only permit issued by the Motor Carrier Services Section of WisDOT that does not pertain to commercial transportation. 2) No border state requires a permit for a three-vehicle combination for similar purpose. 3) Tourist travelers have been stopped and required to obtain the Wisconsin over-length permit before proceeding. If the stop occurs outside of weekday office hours or on the weekend, this causes a significant delay.

**Intent:** Elimination of the oversize permit for transportation of the recreational three-vehicle combination, per WI Statute 348.27(7m) and creation of a statutory allowance for this combination for which no over-length permit would be required.

**Background:** s. 348.27(7m) was created in 1989. At creation, the statute authorized issuance of a permit to a three vehicle combination comprised of a towing vehicle, towing a mobile home or camping trailer, towing a boat trailer; overall length was limited to 60 feet (then legal two-vehicle combination length) and towed vehicles had to be for the use of the operator of the towing vehicle. The statute was silent on brake requirements, thus s.347.35 pertained. The units allowed in the combination effectively restricted use of the recreational three-vehicle permit to non-commercial and spring, summer and autumn operation. There have been several legislative modifications to s.348.27(7m) since original enactment, in summary:

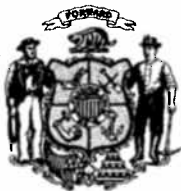
- Addition of other named loads, e.g. "...personalized watercraft..." that could be transported on the final trailer;
- Increase in overall length to 65 feet (then legal two-vehicle length), if, regardless of weight, one of the towed units had brakes;
- Authorized flexibility in the order of the towed units;
- Elimination of specified loads on the towed unit that is not the sleeping compartment in the combination;
- Deleted reference to a "mobile home" and replacement with "recreational vehicle" to comport with a statutory change re-defining "mobile home";
- Addition of language banning operation under the permit during inclement weather.

#### **Recommended Changes:**

- Repeal s.348.27(7m)
- Define "vehicles for recreational use" in s.348.01 . (Recommending definition in s.348.01 rather than s. 340.01 to avoid potential unintended effect on statutory sections outside of the chapter pertaining to vehicle size and weight.)
  - Recommend that the definition of "vehicles for recreational use" include all-terrain vehicle, bicycle, moped, motor bicycle, motorcycle, or snowmobile as defined in s.340.01 , and boat, personal watercraft or sailboard as defined in s.30.50 and personal assistive mobility devices, as

referenced in s. 23.117. But not to include automobile, motor truck, motor home, play vehicle, or inline skates as defined in s.340.01.

- Create a new statutory authority for recreational three-vehicle combinations, without requirement for an oversize permit, that:
  - Authorizes a combination up to 65 feet comprised of a power unit and two towed units.
    - The allowable combinations may be:
      - One towed unit that must be either a camping trailer, as defined in s.340.01(6m), or a recreational vehicle, as defined in s.340.01(48r), and another towed unit that must be a trailer laden with vehicles for recreational use, or an unladen trailer.
      - Two towed units that are both camping trailers, as defined in s.340.01(6m), or two recreational vehicles, as defined in 340.01(48r) or one of each.
  - Requires brakes on one of the towed units, if the laden or unladen weight of both towed units combined exceeds 3,000 pounds.
  - Retains the current language prohibiting operation if road conditions are poor or weather is inclement.
  - Requires the second unit in the combination to be the heaviest towed unit, if structurally feasible.
  - Does not require that the towed vehicles be transported for the personal use of the operator of the towing vehicle or a passenger in the towing unit.



in 8/16



Wanted  
8/18  
end of day  
jld

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

X

Gen

three

1 AN ACT ...; relating to: operating certain 3-vehicle combinations on the  
2 highways.

***Analysis by the Legislative Reference Bureau***

Current law generally prohibits any person from operating a vehicle on a highway while towing two or more vehicles unless an exception applies or the operator holds an appropriate permit issued by the Department of Transportation (DOT). DOT may issue annual or consecutive month permits for certain three-vehicle combinations that consist of the following vehicles:

1. A towing vehicle.
2. A recreational vehicle or camping trailer.
3. A trailer for a personal recreational vehicle.

Under current law, the overall length of the combination of vehicles may not exceed 60 feet or, if the middle vehicle in the three-vehicle combination is equipped with brakes, 65 feet. Unless it is not structurally possible, the lighter of the towed vehicles must occupy the last position in the three-vehicle combination. The towed vehicles must be for the use of the operator of the towing vehicle. A three-vehicle combination may not be operated if specified highway or weather conditions are present.

This bill modifies the requirements for operation of these three-vehicle combinations and allows their operation without a permit. The bill allows a person to operate, without a permit, a three-vehicle combination consisting of the following:

1. A towing vehicle.
2. A recreational vehicle or camping trailer.



3. Another recreational vehicle or camping trailer, or a trailer carrying any vehicle for recreational use or carrying no load. A "vehicle for recreational use" is defined to include a bicycle, moped, motor bicycle, motorcycle, all-terrain vehicle, snowmobile, boat, sailboard, personal watercraft, or electric personal assistive mobility device, but does not include an automobile, motor truck, motor home, play vehicle, or in-line skates.

Under the bill, the heavier of the towed vehicles must occupy the middle position of the three-vehicle combination unless it is not structurally possible. The overall length of the combination of vehicles may not exceed 65 feet and, if the total loaded weight of all towed vehicles exceeds 3,000 pounds, one of the towed vehicles must be equipped with brakes. The bill does not modify current law restrictions on the operation of three-vehicle combinations under specified highway or weather conditions.

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

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1            **SECTION 1.** 348.01 (2) (d) of the statutes is created to read:

2            348.01 (2) (d) "Vehicle for recreational use" includes a bicycle, moped, motor  
3 bicycle, motorcycle, all-terrain vehicle, snowmobile, boat, as defined in s. 30.50 (2),  
4 sailboard, as defined in s. 30.50 (11), personal watercraft, or electric personal  
5 assistive mobility device, but does not include an automobile, motor truck, motor  
6 home, play vehicle, or in-line skates.

7            **SECTION 2.** 348.27 (7m) of the statutes is renumbered 348.08 (1) (i) and  
8 amended to read:

9            348.08 (1) (i) ~~The department may issue an annual or consecutive month~~  
10 ~~permit for the movement of a~~ 3-vehicle combination consisting of a towing vehicle  
11 and, in order by weight, with the lighter of the towed vehicles as the 3rd vehicle in  
12 the 3-vehicle combination unless not structurally possible, a recreational vehicle or  
13 camping trailer as the 2nd vehicle, and a recreational vehicle, camping trailer, or  
14 trailer for a personal recreational vehicle carrying any vehicle for recreational use

1 or carrying no load as the 3rd<sup>✓</sup> vehicle, if the overall length of the combination of  
2 vehicles does not exceed 60 65<sup>✓</sup> feet or, if the 2nd vehicle in the 3-vehicle combination  
3 and, if the total weight, including any load, of all towed vehicles exceeds 3,000<sup>✓</sup>  
4 pounds, one of the towed vehicles is equipped with brakes adequate to control the  
5 movement of and to stop and hold it, does not exceed 65 feet, and the towed vehicles  
6 are for the use of the operator of the towing vehicle. A permit under this subsection  
7 may be issued only by the department, regardless of the highways to be used. The  
8 department may designate the routes that may be used by the permittee. The fee  
9 for an annual permit under this subsection is \$40. The fee for a consecutive month  
10 permit under this subsection shall be determined in the manner provided in s. 348.25  
11 (8) (bm), except that the \$40 fee for an annual permit under this subsection shall be  
12 used in the computation.<sup>✓</sup> No 3-vehicle combination may operate under this  
13 paragraph if highway or weather conditions include heavy snow, freezing rain, icy  
14 roads, high winds, limited visibility, or upon a highway that is closed or partially  
15 closed by the department due to highway conditions.

**History:** 1973 c. 157, 316; 1973 c. 333 s. 190m; 1973 c. 336; 1975 c. 25, 285; 1977 c. 29 ss. 1488m, 1654 (8) (a); 1977 c. 30 s. 5; 1977 c. 191, 197, 272, 273, 418; 1979 c. 34, 315, 326; 1981 c. 20, 69, 163, 215, 391; 1983 a. 78 ss. 32 to 35, 37; 1983 a. 529; 1985 a. 29 s. 3202 (3); 1985 a. 202, 212; 1987 a. 27; 1989 a. 31, 35, 130, 305; 1991 a. 258; 1993 a. 62, 439; 1995 a. 113, 163, 227, 347, 348; 1997 a. 27, 35, 237; 1999 a. 85; 2001 a. 16; 2003 a. 210, 241; 2005 a. 119, 167, 250; 2007 a. 11, 16, 171; 2009 a. 28, 222, 229; 2011 a. 20, 32.

### 16 SECTION 3. Initial applicability.

17 (1) This act first applies to 3-vehicle<sup>✓</sup> combinations operated on the effective  
18 date of this subsection.

19 (END)

**Gary, Aaron**

---

**From:** Fiocchi, Tim  
**Sent:** Wednesday, September 07, 2011 10:32 AM  
**To:** Gary, Aaron  
**Subject:** LRB 2654

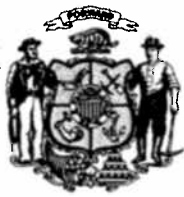
Hi Aaron,

Please send over a /1 draft and jacket for 2654.

Thanks,

Tim

Tim Fiocchi  
Clerk, Assembly Transportation Committee  
Office of Representative Jerry Petrowski  
(608) 266-1182



State of Wisconsin  
2011 - 2012 LEGISLATURE

TODAY



LRB-2654/11  
ARG:jld:rs

in 9/7

stay SR MR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

No changes

Reger

1 AN ACT *to renumber and amend* 348.27 (7m); and *to create* 348.01 (2) (d) of  
2 the statutes; **relating to:** operating certain three-vehicle combinations on the  
3 highways.

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