

**SENATE BILL 410 (LRB -3886)**

An Act to amend 348.17 (5) of the statutes; relating to: seasonal weight limitations for certain vehicles transporting manure. (FE) **2012**

01-31.	S.	Introduced by Senators <b>Galloway, Moulton, Harsdorf and Holperin</b> ; cosponsored by Representatives <b>Petrowski, Suder, Williams, Vruwink, Krug, A. Ott, Tranel, Tauchen, Spanbauer, Marklein, Danou and Bernier</b> .	
01-31.	S.	Read first time and referred to committee on Transportation and Elections .....	679
02-09.	S.	Public hearing held.	
02-09.	S.	Senate substitute amendment 1 offered by Senator Galloway ( <b>LRB s0320</b> ) .....	692
02-15.	S.	Fiscal estimate received.	
02-16.	S.	Executive action taken.	
02-16.	S.	Report adoption of Senate Substitute Amendment 1 recommended by committee on Transportation and Elections, Ayes 4, Noes 0 .....	714
02-16.	S.	Report passage as amended recommended by committee on Transportation and Elections, Ayes 4, Noes 0 .....	714
02-16.	S.	Available for scheduling.	
02-20.	S.	Placed on calendar 2-21-2012 pursuant to Senate Rule 18(1) .....	720
02-21.	S.	Read a second time .....	3
02-21.	S.	<b>Senate substitute amendment 1 adopted</b> .....	3
02-21.	S.	Ordered to a third reading .....	3
02-21.	S.	Rules suspended .....	3
02-21.	S.	Read a third time and <b>passed</b> .....	3
02-21.	S.	Ordered immediately messaged .....	0
02-21.	A.	Received from Senate.	
02-21.	A.	Read first time and referred to committee on Rules.	
02-21.	A.	Rules suspended to withdraw from committee on Rules and take up.	
02-21.	A.	Read a second time.	
02-21.	A.	Ordered to a third reading.	
02-21.	A.	Rules suspended.	
02-21.	A.	Read a third time and <b>concurred in</b> .	
02-21.	A.	Ordered immediately messaged.	
02-22.	S.	Received from Assembly concurred in.	

*MB*

**2011  
ENROLLED BILL**

11en S B-410

**ADOPTED DOCUMENTS:**

Orig     Engr

Σ SubAmdt 1

11 S 0320 1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

2-22-12  
Date

J. Miller  
Enrolling Drafter



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBs0320/1  
EVM:kjf:jf

SENATE SUBSTITUTE AMENDMENT 1,  
TO 2011 SENATE BILL 410

February 9, 2012 – Offered by Senator GALLOWAY.

1 AN ACT *to amend* 348.15 (3) (intro.), 348.19 (2) (a), 348.21 (3) (intro.), 348.21 (3)  
2 (a) and 348.21 (3) (b) (intro.); and *to create* 348.17 (6) of the statutes; **relating**  
3 **to:** seasonal weight limits for certain vehicles transporting manure.

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*Analysis by the Legislative Reference Bureau*

Under current law, with limited exceptions, no person may operate upon a highway any vehicle or combination of vehicles that exceeds certain statutory weight limits unless the person obtains a permit issued by the Department of Transportation or a local authority. Under one exception, certain vehicles or vehicle combinations transporting agricultural crops may, without a permit, exceed weight limits by not more than 15 percent from September 1 to December 31 of each year.

This substitute amendment provides an exception similar to the agricultural crop exception. Under this substitute amendment, certain vehicles or vehicle combinations transporting manure to or from a farm may, without a permit, exceed weight limits by not more than 15 percent from September 1 to December 31 of each year.

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

1           **SECTION 1.** 348.15 (3) (intro.) of the statutes is amended to read:

2           348.15 **(3)** (intro.) Subject to any modifications made by a 1st class city under  
3 s. 349.15 (3) and except as provided in s. 348.17 (5) or (6), no person, without a permit,  
4 may operate on a class “A” highway any vehicle or combination of vehicles unless the  
5 vehicle or combination of vehicles complies with the following weight limitations:

6           **SECTION 2.** 348.17 (6) of the statutes is created to read:

7           348.17 **(6)** (a) From September 1 to December 31 of each year, no permit shall  
8 be required for the transportation of manure to or from a farm in a vehicle or  
9 combination of vehicles that exceeds the weight limitations under s. 348.15 by not  
10 more than 15 percent and that satisfies any of the following:

- 11           1. Has a registered gross weight of 50,000 pounds or more.
- 12           2. Is described in s. 340.01 (24) (b).
- 13           3. Is an implement of husbandry as defined in s. 340.01 (24) (a).

14           (b) This subsection does not apply to the national system of interstate and  
15 defense highways.

16           **SECTION 3.** 348.19 (2) (a) of the statutes is amended to read:

17           348.19 **(2)** (a) Except as provided in par. (b), whenever after a weighing of a  
18 vehicle and load as provided in sub. (1) a traffic officer determines that the weight  
19 exceeds the limitations imposed by s. 348.15, 348.16, or 348.17 (3) ~~or (5)~~, or (6) or any  
20 limitations posted as provided in s. 348.17 (1), the operator of such vehicle shall not  
21 proceed ~~(~~ except to drive to such place as directed by the traffic officer for the purpose  
22 of reloading or unloading~~)~~, until such portion of the load has been reloaded or  
23 unloaded as may be necessary to reduce the weight of the vehicle and load to comply  
24 with the limitations imposed by s. 348.15, 348.16, or 348.17 (3) ~~or (5)~~, or (6) and any  
25 limitations posted as provided in s. 348.17 (1). All material so reloaded or unloaded

1 shall be reloaded or unloaded and cared for by and at the risk of the owner or operator  
2 of the vehicle.

3 **SECTION 4.** 348.21 (3) (intro.) of the statutes is amended to read:

4 348.21 (3) (intro.) Except as provided in sub. (3g), any person violating s. 348.15  
5 or 348.16 or any weight limitation posted as provided in s. 348.17 (1) or in a  
6 declaration issued under s. 348.175 or authorized under s. 348.17 (3) ~~or~~ (5), or (6) or  
7 in an overweight permit issued under s. 348.26 or 348.27 may be penalized as follows:

8 **SECTION 5.** 348.21 (3) (a) of the statutes is amended to read:

9 348.21 (3) (a) If the weight exceeds by 1,000 pounds or less the maximum set  
10 forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or in a declaration  
11 issued under s. 348.175 or authorized under s. 348.17 (3) ~~or~~ (5), or (6) or in an  
12 overweight permit issued under s. 348.26 or 348.27, a forfeiture of not less than \$50  
13 nor more than \$100 upon the first conviction and, upon the 2nd and each subsequent  
14 conviction within a 12-month period, a forfeiture of not less than \$100 nor more than  
15 \$200.

16 **SECTION 6.** 348.21 (3) (b) (intro.) of the statutes is amended to read:

17 348.21 (3) (b) (intro.) If the weight exceeds by more than 1,000 pounds the  
18 maximum set forth in s. 348.15 (3) or 348.16 or posted as provided in s. 348.17 (1) or  
19 in a declaration issued under s. 348.175 or authorized under s. 348.17 (3) ~~or~~ (5), or  
20 (6) or in an overweight permit issued under s. 348.26 or 348.27, the forfeiture shall  
21 be computed according to the following schedule and in the case of violation of s.  
22 348.15 (3) (bg) or (br) shall be computed on the basis of the weights stated in s. 348.15  
23 (3) (bg) or (br):

24

(END)