



in
3/14

needed
3/17 by
10 AM



LRBa2107/10 P2
ARG: wjrs
RMV stays

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO SENATE BILL 509**

- 1 At the locations indicated, amend the engrossed bill as follows:
- 2 **1.** Page 28, line 6: delete “and (e)” and substitute “, (e), and (f)”.
- 3 **2.** Page 29, line 22: after that line insert:
- 4 “(f) 1. Notwithstanding par. (c) and sub. (3) (b), (c), and (g), and except as
- 5 provided in subd. 3. and par. (e), there is no weight limitation per wheel, axle, or
- 6 group of axles, and no gross weight limitation other than that specified in par. (b),
- 7 for an implement of husbandry described in s. 340.01 (24) (a) 1. b. being operated on
- 8 a highway that is not designated under subd. 2. a.
- 9 **2. a.** The governing body of a municipality or county may, by ordinance,
- 10 designate highways under the municipality’s or county’s jurisdiction, for
- 11 maintenance purposes, on which the statutory weight limits prescribed under this
- 12 section, other than this paragraph, for implements of husbandry apply to

insert 2-3

1 implements of husbandry described in s. 340.01 (24) (a) 1. b. If an ordinance is
2 adopted under this subd. 2. a., any weight limit violation resulting from the
3 ordinance is considered to be a violation of the applicable weight limits prescribed
4 under this section.

5 b. For an ordinance under this subdivision to be effective in any calendar year,
6 the ordinance must be adopted on or before January 15 of that calendar year or in
7 a prior year. An ordinance adopted under this subdivision shall be valid for at least
8 one calendar year.

9 c. Each municipality or county that designates highways under subd. 2. a. shall
10 forward to the department a list of all highways designated under subd. 2. a. and the
11 department shall publish this information on the department's Internet site.

insert 2-10

the ordinance

state trunk highway

12 3. Subdivision 1. does not apply on any highway that is a part of the national
13 system of interstate and defense highways or that is posted with a weight limitation
14 as provided in s. 348.17 (1)."

15 **3.** Page 30, line 6: after "(e)" insert "or (f) 1".

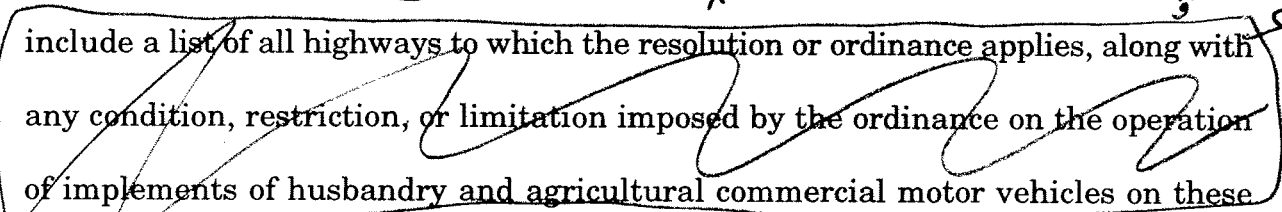
16 **4.** Page 34, line 9: after "husbandry." insert "The applicant may reapply to the
17 maintaining authority or maintaining authorities for a permit or permits under this
18 subsection using this approved alternate route or map of highways. However, a
19 maintaining authority may not include in this approved alternate route or map of
20 highways any highway that is not under its jurisdiction unless, before including the
21 highway in the approved alternate route or map of highways, it first obtains approval
22 from the maintaining authority having jurisdiction over the highway."

insert 2-15

1 **5.** Page 34, line 16: after "year." insert "For a resolution or ordinance under
2 this subd. 5. a. to be effective in any calendar year, the resolution or ordinance must
3 be adopted on or before January 15 of that calendar year or in a prior year."

4 **6.** Page 35, line 5: after that line insert:

5 "d. Each municipality or county that adopts a resolution or ordinance under
6 this subdivision shall ^{forward to} ~~notify~~ the department ^{a copy} of the resolution or ordinance and
7 include a list of all highways to which the resolution or ordinance applies, along with
8 any condition, restriction, or limitation imposed by the ordinance on the operation
9 of implements of husbandry and agricultural commercial motor vehicles on these
10 highways. ~~The department shall publish this information~~ ^{the ordinance} on the department's
11 Internet site."



Insert
3-11 →

12 **7.** Page 35, line 22: after that line insert:

13 "6. A maintaining authority under par. (a) 2. may issue permits under this
14 subsection having a valid period that is longer than one year or for which there is no
15 expiration."

16 **8.** Page 36, line 21: after that line insert:

17 "3. a. Except as provided in subd. 3. b., ^e ~~and~~ ^{and d.)} c., a maintaining authority shall
18 keep confidential all information provided by an applicant for a permit under this
19 subsection and this information is not open to public inspection, copying, or
20 disclosure under s. 19.35.

21 b. A maintaining authority described in par. (a) 2. may disclose to the
22 department, upon its request, information provided by an applicant for a permit
23 under this subsection, but the department shall keep the information confidential,

1 and this information is not open to public inspection, copying, or disclosure under s.
2 19.35.

3 *d. f.* A maintaining authority may disclose, on a permit issued under this
4 subsection, any information necessary to carry out the purpose of the permit.”.

5 **9.** Page 38, line 15: delete “348.05, 348.06, 348.07, 348.08,”.

6 **10.** Page 38, line 20: delete “348.05, 348.06, 348.07,”.

7 **11.** Page 38, line 21: delete “348.08, 348.15, or” and substitute “348.15 and”.

8 **12.** Page 38, line 24: after that line insert:

9 “(am) Notwithstanding sections 348.05, 348.06, 348.07, and 348.08 of the
10 statutes, as affected by this act, but subject to paragraph (b), during the period
11 beginning on the effective date of this paragraph and ending on December 31, 2014,
12 no officer of the state traffic patrol under section 110.07 (1) of the statutes, and no
13 inspector under section 110.07 (3) of the statutes, may issue a citation to a person for
14 violating any provision of sections 348.05, 348.06, 348.07, and 348.08 of the statutes,
15 as affected by this act, while operating an implement of husbandry described in
16 section 340.01 (24) (a) 1. a. or b. of the statutes, as affected by this act. A state traffic
17 patrol officer or inspector may issue a warning notice for any violation specified in
18 this paragraph.”.

19 **13.** Page 39, line 16: after that line insert:

20 “(4m) The treatment of sections 340.01 (1o) and (24), 348.01 (2) (bg) and (bp),
21 348.15 (3) (b), (d), (f) 2., and (g), (8), and (9), 348.16 (2), and 348.21 (3) (intro.) and (3t)
22 of the statutes and SECTION 62 (4m) (a) and (b) of this act take effect on the day of
23 publication.”.

24 (END)

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa2107/P2ins
ARG:.....

1

2

3

INSERT 2-3:

4 (no 4)

weight limit imposed by this chapter and any violation is considered to be a

5

6

INSERT 2-10:

7 (no 4)

copy of the ordinance

8

9

INSERT 2-15:

10

↓ 1. Page 34, line 6: delete the material beginning with "If" and ending with
"husbandry." on line 9.

11

12

2. Page 34, line 10: before that line insert:

13

"4m. a. If a maintaining authority described in par. (a) 2. receives a permit

14

application with respect to an implement of husbandry described in s. 340.01 (24) (a)

15

1. b. and the only basis to deny the application is the listing or map of highways under

16

par. (c) 3. accompanying the application, the maintaining authority shall modify the

17

application to include an approved alternate route or map of highways for operation

18

of the implement of husbandry and approve the application.

19

b. The approved alternate route or map of highways under subd. 4m. a. may

20

include highways that are not under the jurisdiction of the maintaining authority

21

issuing the permit only upon prior approval of the maintaining authority having

22

jurisdiction over those highways." ↓

23

1 **INSERT 3-11:**

2 **3.** Page 35, line 6: after "jurisdiction," insert "and as provided in par. (b) 4m.

3 ↓
b.,".

4

5 **INSERT 4-2:**

6 c. A maintaining authority may disclose to a law enforcement agency, for use
7 only for law enforcement purposes, information provided by an applicant for a permit
8 under this subsection.

9

10

Gary, Aaron

From: Portz, Elisabeth
Sent: Monday, March 17, 2014 2:34 PM
To: Gary, Aaron
Cc: Fiocchi, Tim
Subject: RE: Draft review: LRB a2107/P2 Topic: Weight limits for certain implements of husbandry; opt in for category II IOH

Aaron,

Just received another potential change. When you look at Page 2, line 19 of the amendment, it refers to maintaining authority described in par. (a) 2. When looking at par. (a) 2., the amendment only lists a governing body of a municipality or county. Does that mean that only municipalities and counties are required to give an approved alternate route? I wanted to check because it is our intent that the state would also be required to give an approved alternate route for cat II.

Thoughts?

Thanks,

Liz

From: Gary, Aaron
Sent: Monday, March 17, 2014 1:09 PM
To: Portz, Elisabeth
Cc: Fiocchi, Tim
Subject: RE: Draft review: LRB a2107/P2 Topic: Weight limits for certain implements of husbandry; opt in for category II IOH

Sounds good.

Are there going to be other changes (ie should I hold off on the redraft)?

Thanks. Aaron

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

From: Portz, Elisabeth
Sent: Monday, March 17, 2014 12:10 PM
To: Gary, Aaron
Cc: Fiocchi, Tim
Subject: RE: Draft review: LRB a2107/P2 Topic: Weight limits for certain implements of husbandry; opt in for category II IOH

Hey Aaron,

After talking with Rick from the towns, we'd like to remain as consistent as possible and add "resolution" to the provisions that currently only mention ordinances.

Thanks!

Liz

From: Gary, Aaron
Sent: Monday, March 17, 2014 11:42 AM
To: Portz, Elisabeth
Cc: Fiocchi, Tim
Subject: RE: Draft review: LRB a2107/P2 Topic: Weight limits for certain implements of husbandry; opt in for category II IOH

Just FYI, there is a discussion on the League of Wisconsin Municipalities website about ordinance vs. resolution. There is no bright line rule, but the LWM says that an ordinance "is used to effect most local legislative actions." Chapters 340 to 349 of the statutes almost always refer to an ordinance. According to the LWM website: "Resolutions commonly deal with matters of a special or temporary character. A resolution ordinarily denotes something less solemn or formal than, or not rising to the dignity of, an ordinance. They seldom if ever contain penalties and are the most common form of legislation employed by governing bodies to deal with special matters not affecting the general public such as granting special privileges, expressing opinions or communicating with other governmental units or departments or agencies of the municipality."

http://www.lwm-info.org/index.asp?SEC=A399AE04-90B2-4F2B-9BB3-9F7D214E7954&DE=8E1FEA86-519E-4BD7-87A9-465F6F681350&Type=B_BASIC

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

From: Portz, Elisabeth
Sent: Monday, March 17, 2014 10:13 AM
To: Gary, Aaron
Cc: Fiocchi, Tim
Subject: RE: Draft review: LRB a2107/P2 Topic: Weight limits for certain implements of husbandry; opt in for category II IOH

I think it's best that we remain consistent throughout the bill. We are checking with a few people, but we may have you add resolution to those sections, or remove references to it altogether. We'll get back to you on that!

Can you tell me what item 8 does?

Thanks!

Liz

From: Gary, Aaron
Sent: Monday, March 17, 2014 9:57 AM
To: Portz, Elisabeth
Subject: RE: Draft review: LRB a2107/P2 Topic: Weight limits for certain implements of husbandry; opt in for category II IOH

I can't remember where the original language "resolution or ordinance" came from, but I talked to our local govt. drafter and he said these really need to be done as ordinances. There is no harm in keeping the resolution language in the opt out part, but since it is unnecessary I did not include it in the opt in part.

Aaron

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

From: Portz, Elisabeth
Sent: Monday, March 17, 2014 9:46 AM
To: Gary, Aaron
Subject: FW: Draft review: LRB a2107/P2 Topic: Weight limits for certain implements of husbandry; opt in for category II IOH

Quick question, is it important to say ordinance OR RESOLUTION? I know we had talked about both but I wasn't sure if it was necessary to mention both in the bill.

From: LRB.Legal
Sent: Monday, March 17, 2014 9:36 AM
To: Rep.Ripp
Subject: Draft review: LRB a2107/P2 Topic: Weight limits for certain implements of husbandry; opt in for category II IOH

Following is the PDF version of draft LRB a2107/P2.

Gary, Aaron

From: Portz, Elisabeth
Sent: Monday, March 17, 2014 4:02 PM
To: Gary, Aaron
Cc: Fiocchi, Tim
Subject: RE: two quick questions

I think the first option for alternate language is the best. Please add that to the amendment. Thanks!

Liz

From: Gary, Aaron
Sent: Monday, March 17, 2014 3:52 PM
To: Portz, Elisabeth
Cc: Fiocchi, Tim
Subject: RE: two quick questions

Please see below.
Aaron

From: Portz, Elisabeth
Sent: Monday, March 17, 2014 3:24 PM
To: Gary, Aaron
Cc: Fiocchi, Tim
Subject: two quick questions

Hey Aaron,

1. We are still receiving concerns on the page 4, lines 9-10. Some believe that is it still giving a maintaining authority the broad ability to disclose information. I've explained your take on it, but it does not seem to calm the waters. Is there any way to re-word it so that it is more explicitly only giving the maintaining authority the ability to use the information to issue the permit itself?

Would either of these work any better:

"d. This subdivision does not prohibit a maintaining authority from disclosing on a permit under this subsection the information necessary to carry out the purpose of the permit."

Or

"d. A maintaining authority may provide to a permittee under this subsection a permit that discloses information necessary to carry out the purpose of the permit."

2. Items 11-14, I know we went over it briefly on Friday, but I am receiving questions on what these items do. Can you review that for me?

All of this relates to moving up the weight limit provisions by 30 days, so they take effect on the day of publication instead of 30 days after.

Under the bill, when the new provisions take effect, state patrol can issue only warnings, not tickets. Under the bill, weight and size provisions all take effect at the same time. However, under the amendment, weight provisions take effect earlier. To make it so that state patrol cannot issue tickets as soon as the weight provisions take effect, I had to separate out the weight provisions from the size provisions in this non-stat. All of these changes are technical changes

resulting from the fact that the weight stats and the size stats have a different effective date under this amendment and the "no enforcement" provision should be timed to begin as soon as the weight or size provision begins.

Thanks!

Liz

Elisabeth Portz
Clerk, Assembly Committee on Transportation
Office of Wisconsin State Representative Keith Ripp
42nd Assembly District
(608) 266-3404

Gary, Aaron

From: Portz, Elisabeth
Sent: Tuesday, March 18, 2014 2:50 PM
To: Gary, Aaron
Cc: Fiocchi, Tim
Subject: one more change for the amendment

Hey Aaron,

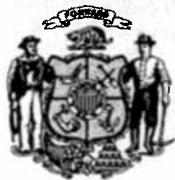
Here's one more change. The intent here is to extend the moratorium until the opt in or opt out decision must be made.

Page 38, line 18: delete "December 31, 2014" and substitute "January 14, 2015".

Please let us know if you have any questions!

Liz

Elisabeth Portz
Clerk, Assembly Committee on Transportation
Office of Wisconsin State Representative Keith Ripp
42nd Assembly District
(608) 266-3404



Now



in 3/18

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO SENATE BILL 509

1 At the locations indicated, amend the engrossed bill as follows:

2 **1.** Page 28, line 6: delete “and (e)” and substitute “, (e), and (f)”.

3 **2.** Page 29, line 22: after that line insert:

4 “(f) 1. Notwithstanding par. (c) and sub. (3) (b), (c), and (g), and except as

5 provided in subd. 3. and par. (e), there is no weight limitation per wheel, axle, or

6 group of axles, and no gross weight limitation other than that specified in par. (b),

7 for an implement of husbandry described in s. 340.01 (24) (a) 1. b. being operated on

8 a highway that is not designated under subd. 2. a. resolution or

9 2. a. The governing body of a municipality or county may, by ordinance,

10 designate highways under the municipality’s or county’s jurisdiction, for

11 maintenance purposes, on which the statutory weight limits prescribed under this

12 section, other than this paragraph, for implements of husbandry apply to

1 implements of husbandry described in s. 340.01 (24) (a) 1. b. If ~~an~~ ordinance is
 2 adopted under this subd. 2. a., any weight limit resulting from the ordinance is
 3 considered to be a weight limit imposed by this chapter and any violation is
 4 considered to be a violation of the applicable weight limits prescribed under this
 5 section.

6 ~~an~~ ordinance under this subdivision to be effective in any calendar year,
 7 the ordinance must be adopted on or before January 15 of that calendar year or in
 8 a prior year. ~~an~~ ordinance adopted under this subdivision shall be valid for at least
 9 one calendar year.

10 c. Each municipality or county that designates highways under subd. 2. a. shall
 11 forward to the department a copy of the ordinance, and the department shall publish
 12 the ordinance on the department's Internet site.

13 3. Subdivision 1. does not apply on any highway that is a state trunk highway
 14 or that is posted with a weight limitation as provided in s. 348.17 (1)."

15 **3.** Page 30, line 6: after "(e)" insert "or (f) 1".

16 **4.** Page 34, line 6: delete the material beginning with "If" and ending with
 17 "husbandry." on line 9.

18 **5.** Page 34, line 10: before that line insert:

19 "4m. a. If a maintaining authority described in par. (a) 2. receives a permit
 20 application with respect to an implement of husbandry described in s. 340.01 (24) (a)
 21 1. b. and the only basis to deny the application is the listing or map of highways under
 22 par. (c) 3. accompanying the application, the maintaining authority shall modify the
 23 application to include an approved alternate route or map of highways for operation
 24 of the implement of husbandry and approve the application.

a resolution or ordinance

a resolution or ordinance

resolution or ordinance

A resolution or ordinance

resolution or ordinance

resolution or ordinance

1 b. The approved alternate route or map of highways under subd. 4m. a. may
2 include highways that are not under the jurisdiction of the maintaining authority
3 issuing the permit only upon prior approval of the maintaining authority having
4 jurisdiction over those highways.”.

5 **6.** Page 34, line 16: after “year.” insert “For a resolution or ordinance under
6 this subd. 5. a. to be effective in any calendar year, the resolution or ordinance must
7 be adopted on or before January 15 of that calendar year or in a prior year.”.

8 **7.** Page 35, line 5: after that line insert:

9 “d. Each municipality or county that adopts a resolution or ordinance under
10 this subdivision shall forward to the department a copy of the resolution or
11 ordinance, and the department shall publish the ^{resolution or} ordinance on the department’s
12 Internet site.”.

13 **8.** Page 35, line 6: after “jurisdiction,” insert “and as provided in par. (b) 4m.
14 b.”.

15 **9.** Page 35, line 22: after that line insert:

16 “6. A maintaining authority under par. (a) 2. may issue permits under this
17 subsection having a valid period that is longer than one year or for which there is no
18 expiration.”.

19 **10.** Page 36, line 21: after that line insert:

20 “3. a. Except as provided in subd. 3. b., c., and d., a maintaining authority shall
21 keep confidential all information provided by an applicant for a permit under this
22 subsection and this information is not open to public inspection, copying, or
23 disclosure under s. 19.35.

This subdivision does not prohibit a

1 b. A maintaining authority described in par. (a) 2. may disclose to the
2 department, upon its request, information provided by an applicant for a permit
3 under this subsection, but the department shall keep the information confidential,
4 and this information is not open to public inspection, copying, or disclosure under s.
5 19.35.

6 c. A maintaining authority may disclose to a law enforcement agency, for use
7 only for law enforcement purposes, information provided by an applicant for a permit
8 under this subsection.

9 d. *A* maintaining authority ^{from} ~~may~~ disclose ^{ing} on a permit ~~issued~~ under this
10 subsection ^{the} ~~any~~ information necessary to carry out the purpose of the permit.”

11 **11.** Page 38, line 15: delete “348.05, 348.06, 348.07, 348.08.”

12 **12.** Page 38, line 20: delete “348.05, 348.06, 348.07.”

13 **13.** Page 38, line 21: delete “348.08, 348.15, or” and substitute “348.15 and”.

14 **14.** Page 38, line 24: after that line insert:

15 “(am) Notwithstanding sections 348.05, 348.06, 348.07, and 348.08 of the
16 statutes, as affected by this act, but subject to paragraph (b), during the period
17 beginning on the effective date of this paragraph and ending on December 31, 2014,
18 no officer of the state traffic patrol under section 110.07 (1) of the statutes, and no
19 inspector under section 110.07 (3) of the statutes, may issue a citation to a person for
20 violating any provision of sections 348.05, 348.06, 348.07, and 348.08 of the statutes,
21 as affected by this act, while operating an implement of husbandry described in
22 section 340.01 (24) (a) 1. a. or b. of the statutes, as affected by this act. A state traffic
23 patrol officer or inspector may issue a warning notice for any violation specified in
24 this paragraph.”

*insert
4-11*

17

January 14, 2015

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa2107/P3ins
ARG:.....

1

2

INSERT 4-11:

3

1. Page 38, line 18: delete "December 31, 2014" and substitute "January 14,

4

2015".

5

Gary, Aaron

From: Portz, Elisabeth
Sent: Wednesday, March 19, 2014 11:49 AM
To: Gary, Aaron; Fiocchi, Tim
Subject: RE: Final IoH Amendment

Yes that's totally fine.

From: Gary, Aaron
Sent: Wednesday, March 19, 2014 11:48 AM
To: Portz, Elisabeth; Fiocchi, Tim
Subject: RE: Final IoH Amendment

On line 6, can I say, "shall, upon request," - otherwise it sounds like the permit issuer must transfer all information as a matter of course.

From: Portz, Elisabeth
Sent: Wednesday, March 19, 2014 11:37 AM
To: Gary, Aaron; Fiocchi, Tim
Subject: RE: Final IoH Amendment

Hey Aaron,

One more change for you:

page 4, lines 1 and 6, delete the word "may" and insert the word "shall".

Thanks!

Liz

From: Gary, Aaron
Sent: Wednesday, March 19, 2014 8:35 AM
To: Fiocchi, Tim
Cc: Portz, Elisabeth
Subject: RE: Final IoH Amendment

Do you want this to continue to be a redraft of LRBa2107, or is this a new amendment?
Thanks. Aaron

From: Fiocchi, Tim
Sent: Tuesday, March 18, 2014 6:28 PM
To: Gary, Aaron
Subject: Final IoH Amendment

Hi Aaron,

So after a lot of back and forth in the speaker's office here's where we are.

1. Make permits from DOT for state roads renew automatically unless something changes regarding the roadway or the farmer amends their permit.
2. Sunset the increased weight allowance and permitting provisions in the bill as of January 1, 2020.

Thank you,

Tim

Tim Fiocchi
Chief of Staff, Senator Jerry Petrowski
29th Senate District
(608) 266-2502



TODAY
as early
as possible
LRBa2107/08 P4
ARG:wj/jf
stays
RMR

in
3/19

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO SENATE BILL 509

insert
1-1 →

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2. Page 29, line 22: after that line insert:


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2. a. The governing body of a municipality or county may, by resolution or ordinance, designate highways under the municipality’s or county’s jurisdiction, for maintenance purposes, on which the statutory weight limits prescribed under this section, other than this paragraph, for implements of husbandry apply to

1 implements of husbandry described in s. 340.01 (24) (a) 1. b. If a resolution or
2 ordinance is adopted under this subd. 2. a., any weight limit resulting from the
3 resolution or ordinance is considered to be a weight limit imposed by this chapter and
4 any violation is considered to be a violation of the applicable weight limits prescribed
5 under this section.

6 b. For a resolution or ordinance under this subdivision to be effective in any
7 calendar year, the resolution or ordinance must be adopted on or before January 15
8 of that calendar year or in a prior year. A resolution or ordinance adopted under this
9 subdivision shall be valid for at least one calendar year.

10 c. Each municipality or county that designates highways under subd. 2. a. shall
11 forward to the department a copy of the resolution or ordinance, and the department
12 shall publish the resolution or ordinance on the department's Internet site.

13 3. Subdivision 1. does not apply on any highway that is a state trunk highway
14 or that is posted with a weight limitation as provided in s. 348.17 (1). 

15 **3.** Page 30, line 6: after "(e)" insert "or (f) 1".

16 **4.** Page 34, line 6: delete the material beginning with "If" and ending with
17 "husbandry." on line 9.

18 **5.** Page 34, line 10: before that line insert:

19 "4m. a. If a maintaining authority receives a permit application with respect
20 to an implement of husbandry described in s. 340.01 (24) (a) 1. b. and the only basis
21 to deny the application is the listing or map of highways under par. (c) 3.
22 accompanying the application, the maintaining authority shall modify the
23 application to include an approved alternate route or map of highways for operation
24 of the implement of husbandry and approve the application.

insert
2-14
insert
2-15

1 b. The approved alternate route or map of highways under subd. 4m. a. may
2 include highways that are not under the jurisdiction of the maintaining authority
3 issuing the permit only upon prior approval of the maintaining authority having
4 jurisdiction over those highways.”.

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6 this subd. 5. a. to be effective in any calendar year, the resolution or ordinance must
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10 this subdivision shall forward to the department a copy of the resolution or
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14 b.”.

15 **9.** Page 35, line 22: after that line insert:

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22 subsection and this information is not open to public inspection, copying, or
23 disclosure under s. 19.35.

insert
3-18
18

1 b. A maintaining authority described in par. (a) 2. may ^{shall} disclose to the
2 department, upon its request, information provided by an applicant for a permit
3 under this subsection, but the department shall keep the information confidential,
4 and this information is not open to public inspection, copying, or disclosure under s.
5 19.35.

6 c. A maintaining authority may ^{shall, upon request,} disclose to a law enforcement agency, for use
7 only for law enforcement purposes, information provided by an applicant for a permit
8 under this subsection.

9 d. This subdivision does not prohibit a maintaining authority from disclosing
10 on a permit under this subsection the information necessary to carry out the purpose
11 of the permit.”

12 **11.** Page 38, line 15: delete “348.05, 348.06, 348.07, 348.08.”

13 **12.** Page 38, line 18: delete “December 31, 2014” and substitute “January 14,
14 2015”.

15 **13.** Page 38, line 20: delete “348.05, 348.06, 348.07.”

16 **14.** Page 38, line 21: delete “348.08, 348.15, or” and substitute “348.15 and”.

17 **15.** Page 38, line 24: after that line insert:

18 “(am) Notwithstanding sections 348.05, 348.06, 348.07, and 348.08 of the
19 statutes, as affected by this act, but subject to paragraph (b), during the period
20 beginning on the effective date of this paragraph and ending on January 14, 2015,
21 no officer of the state traffic patrol under section 110.07 (1) of the statutes, and no
22 inspector under section 110.07 (3) of the statutes, may issue a citation to a person for
23 violating any provision of sections 348.05, 348.06, 348.07, and 348.08 of the statutes,
24 as affected by this act, while operating an implement of husbandry described in

1 section 340.01 (24) (a) 1. a. or b. of the statutes, as affected by this act. A state traffic
2 patrol officer or inspector may issue a warning notice for any violation specified in
3 this paragraph.”.

4 **16.** Page 39, line 16: after that line insert:

5 “(4m) The treatment of sections 340.01 (1o) and (24), 348.01 (2) (bg) and (bp),
6 348.15 (3) (b), (d), (f) 2., and (g), (8), and (9), 348.16 (2), and 348.21 (3) (intro.) and (3t)
7 of the statutes and SECTION 62 (4m) (a) and (b) of this act take effect on the day of
8 publication.”.

9 (END)

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa2107/P4ins
ARG:.....

1 **INSERT 1-1:**

2 **1.** Page 24, line 17: after “vehicle” insert “operated on or before January 1,
3 2020”.

4 **2.** Page 25, line 13: after “vehicle” insert “operated on or before January 1,
5 2020”.

6
7 **INSERT 2-14:**

8 (g) This subsection does not apply after January 1, 2020, and any resolution
9 or ordinance adopted under par. (f) 2. a. on or before January 1, 2020, is void after
10 January 1, 2020.”.

11 **3.** Page 30, line 4: after “apply” insert “, on or before January 1, 2020,”.

12
13 **INSERT 2-15:**

14 **4.** Page 31, line 5: delete that line and substitute:

15 “**SECTION 53m.** 348.17 (6) (a) 3. of the statutes is amended to read:

16 348.17 (6) (a) 3. Is an implement of husbandry as ~~defined in s. 340.01 (24) (a).~~

17 This subdivision does not apply from the effective date of this subdivision [LRB
18 inserts datel, to January 1, 2020.”.

19 **5.** Page 31, line 17: after that line insert:

20 “(c) This subsection does not apply to violations committed after January 1,
21 2020.”.

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INSERT 3-18:

7. Permits issued under this subsection by a maintaining authority under par. (a) 1., including amended permits for which an application has been approved under par. (b) 2., shall automatically renew each year unless there is a material change to any roadway for which the permit applies.”.

INSERT 4-11:

6. Page 37, line 8: after that line insert:

“(f) 1. Except as provided in subd. 2., this subsection does not apply after January 1, 2020, and any permit issued under this subsection or resolution or ordinance adopted under par. (b) 5. a. on or before January 1, 2020, is void after January 1, 2020.

2. The confidentiality requirements under par. (d) 3. continue to apply after January 1, 2020, to all application information provided on or before January 1, 2020.”.

7. Page 37, line 13: after “permitted.” insert “This paragraph does not apply after January 1, 2020, with respect to a permit issued under s. 348.27 (19).”.

8. Page 37, line 22: after “permit.” insert “This paragraph does not apply after January 1, 2020.”.

Gary, Aaron

To: Portz, Elisabeth
Subject: RE: /p4 quick question

From: Portz, Elisabeth
Sent: Thursday, March 20, 2014 8:49 AM
To: Gary, Aaron
Subject: RE: /p4 quick question

Hey Aaron!

I'd like to get the amendment to members as soon as possible today. Any idea when that will be through editing? After looking through the /p5 one more time, we should go ahead with the /1 and get it introduced ASAP.

Liz

From: Gary, Aaron
Sent: Wednesday, March 19, 2014 3:48 PM
To: Portz, Elisabeth
Cc: Fiocchi, Tim
Subject: RE: /p4 quick question

OK

From: Portz, Elisabeth
Sent: Wednesday, March 19, 2014 3:29 PM
To: Gary, Aaron
Cc: Fiocchi, Tim
Subject: RE: /p4 quick question

Okay so after looking at this, can we make the language on page 2, line 22 consistent with the language on page 3 line 3-4 of the amendment (add "from the effective date of this subdivision...[LRB inserts date], to January 1, 2020")?

From: Portz, Elisabeth
Sent: Wednesday, March 19, 2014 2:34 PM
To: Gary, Aaron
Cc: Fiocchi, Tim
Subject: RE: /p4 quick question

Wait... I think it is worded correctly..

From: Portz, Elisabeth
Sent: Wednesday, March 19, 2014 2:33 PM
To: Gary, Aaron
Cc: Fiocchi, Tim
Subject: /p4 quick question

Hey Aaron,

If you look at Page 2, line 22, the amendment appears to change the bill to read "This subsection does not apply on or before January 1, 2020 to a potato harvester or an implement of husbandry". To me, that reads that the potato harvester exemption wouldn't exist until January 2, 2020. Do we need to change that in the amendment to on or AFTER January 1, 2020?

Thanks!

Liz

Elisabeth Portz
Clerk, Assembly Committee on Transportation
Office of Wisconsin State Representative Keith Ripp
42nd Assembly District
(608) 266-3404

3/20/14

LRBa2107

t/c with Tim Fiocchi – Sen. Petrowski

Discussed language of amendment, p. 3, lines 12-13 of /p4, re “only basis to deny the application” - although it is expected that issuing authority will have very little basis to deny an application, this language is necessary because a significant other basis to deny the application would be that the application is incomplete or lacks necessary information.



Now

in
3/20



LRBa2107/1
ARG:wlj:jm

RMNR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO SENATE BILL 509**

One change - p. 2

1 At the locations indicated, amend the engrossed bill as follows:

2 **1.** Page 24, line 17: after “vehicle” insert “operated on or before January 1,
3 2020”.

4 **2.** Page 25, line 13: after “vehicle” insert “operated on or before January 1,
5 2020”.

6 **3.** Page 28, line 6: delete “and (e)” and substitute “, (e), and (f)”.

7 **4.** Page 29, line 22: after that line insert:

8 “(f) 1. Notwithstanding par. (c) and sub. (3) (b), (c), and (g), and except as
9 provided in subd. 3. and par. (e), there is no weight limitation per wheel, axle, or
10 group of axles, and no gross weight limitation other than that specified in par. (b),
11 for an implement of husbandry described in s. 340.01 (24) (a) 1. b. being operated on
12 a highway that is not designated under subd. 2. a.

1 2. a. The governing body of a municipality or county may, by resolution or
2 ordinance, designate highways under the municipality's or county's jurisdiction, for
3 maintenance purposes, on which the statutory weight limits prescribed under this
4 section, other than this paragraph, for implements of husbandry apply to
5 implements of husbandry described in s. 340.01 (24) (a) 1. b. If a resolution or
6 ordinance is adopted under this subd. 2. a., any weight limit resulting from the
7 resolution or ordinance is considered to be a weight limit imposed by this chapter and
8 any violation is considered to be a violation of the applicable weight limits prescribed
9 under this section.

10 b. For a resolution or ordinance under this subdivision to be effective in any
11 calendar year, the resolution or ordinance must be adopted on or before January 15
12 of that calendar year or in a prior year. A resolution or ordinance adopted under this
13 subdivision shall be valid for at least one calendar year.

14 c. Each municipality or county that designates highways under subd. 2. a. shall
15 forward to the department a copy of the resolution or ordinance, and the department
16 shall publish the resolution or ordinance on the department's Internet site.

17 3. Subdivision 1. does not apply on any highway that is a state trunk highway
18 or that is posted with a weight limitation as provided in s. 348.17 (1).

19 (g) This subsection does not apply after January 1, 2020, and any resolution
20 or ordinance adopted under par. (f) 2. a. on or before January 1, 2020, is void after
21 January 1, 2020.”.

22 **5.** Page 30, line 4: after “apply” insert “on or before January 1, 2020.”.

23 **6.** Page 30, line 6: after “(e)” insert “or (f) 1”.

24 **7.** Page 31, line 5: delete that line and substitute:

1 **“SECTION 53m.** 348.17 (6) (a) 3. of the statutes is amended to read:

2 348.17 (6) (a) 3. Is an implement of husbandry ~~as defined in s. 340.01 (24) (a).~~

3 This subdivision does not apply from the effective date of this subdivision [LRB
4 inserts date], to January 1, 2020.”.

5 **8.** Page 31, line 17: after that line insert:

6 “(c) This subsection does not apply to violations committed after January 1,
7 2020.”.

8 **9.** Page 34, line 6: delete the material beginning with “If” and ending with
9 “husbandry.” on line 9.

10 **10.** Page 34, line 10: before that line insert:

11 “4m. a. If a maintaining authority receives a permit application with respect
12 to an implement of husbandry described in s. 340.01 (24) (a) 1. b. and the only basis
13 to deny the application is the listing or map of highways under par. (c) 3.
14 accompanying the application, the maintaining authority shall modify the
15 application to include an approved alternate route or map of highways for operation
16 of the implement of husbandry and approve the application.

17 b. The approved alternate route or map of highways under subd. 4m. a. may
18 include highways that are not under the jurisdiction of the maintaining authority
19 issuing the permit only upon prior approval of the maintaining authority having
20 jurisdiction over those highways.”.

21 **11.** Page 34, line 16: after “year.” insert “For a resolution or ordinance under
22 this subd. 5. a. to be effective in any calendar year, the resolution or ordinance must
23 be adopted on or before January 15 of that calendar year or in a prior year.”.

24 **12.** Page 35, line 5: after that line insert:

1 “d. Each municipality or county that adopts a resolution or ordinance under
2 this subdivision shall forward to the department a copy of the resolution or
3 ordinance, and the department shall publish the resolution or ordinance on the
4 department’s Internet site.”.

5 **13.** Page 35, line 6: after “jurisdiction,” insert “and as provided in par. (b) 4m.
6 b.”.

7 **14.** Page 35, line 22: after that line insert:

8 “6. A maintaining authority under par. (a) 2. may issue permits under this
9 subsection having a valid period that is longer than one year or for which there is no
10 expiration.

11 7. Permits issued under this subsection by a maintaining authority under par.
12 (a) 1., including amended permits for which an application has been approved under
13 par. (b) 2., shall automatically renew each year unless there is a material change to
14 any roadway for which the permit applies.”.

15 **15.** Page 36, line 21: after that line insert:

16 “3. a. Except as provided in subd. 3. b., c., and d., a maintaining authority shall
17 keep confidential all information provided by an applicant for a permit under this
18 subsection and this information is not open to public inspection, copying, or
19 disclosure under s. 19.35.

20 b. A maintaining authority described in par. (a) 2. shall disclose to the
21 department, upon its request, information provided by an applicant for a permit
22 under this subsection, but the department shall keep the information confidential,
23 and this information is not open to public inspection, copying, or disclosure under s.
24 19.35.

1 c. A maintaining authority shall, upon request, disclose to a law enforcement
2 agency, for use only for law enforcement purposes, information provided by an
3 applicant for a permit under this subsection.

4 d. This subdivision does not prohibit a maintaining authority from disclosing
5 on a permit under this subsection the information necessary to carry out the purpose
6 of the permit.”.

7 **16.** Page 37, line 8: after that line insert:

8 “(f) 1. Except as provided in subd. 2., this subsection does not apply after
9 January 1, 2020, and any permit issued under this subsection or resolution or
10 ordinance adopted under par. (b) 5. a. on or before January 1, 2020, is void after
11 January 1, 2020.

12 2. The confidentiality requirements under par. (d) 3. continue to apply after
13 January 1, 2020, to all application information provided on or before January 1,
14 2020.”.

15 **17.** Page 37, line 13: after “permitted.” insert “This paragraph does not apply
16 after January 1, 2020, with respect to a permit issued under s. 348.27 (19).”.

17 **18.** Page 37, line 22: after “permit.” insert “This paragraph does not apply
18 after January 1, 2020.”.

19 **19.** Page 38, line 15: delete “348.05, 348.06, 348.07, 348.08,”.

20 **20.** Page 38, line 18: delete “December 31, 2014” and substitute “January 14,
21 2015”.

22 **21.** Page 38, line 20: delete “348.05, 348.06, 348.07,”.

23 **22.** Page 38, line 21: delete “348.08, 348.15, or” and substitute “348.15 and”.

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FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa2107/lins
ARG:.....

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INSERT 2-22:

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(no fl)

from the effective date of this subsection [LRB inserts date], to

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