

2015 DRAFTING REQUEST

Senate Amendment (SA-SB83)

Received: 4/6/2015 Received By: agary
Wanted: As time permits Same as LRB:
For: Jerry Petrowski (608) 266-2502 By/Representing: Tim Fiocchi
May Contact: Drafter: agary
Subject: Transportation - highways Addl. Drafters:
Transportation - motor vehicles Extra Copies:
Transportation - traffic laws

Submit via email: YES
Requester's email: Sen.Petrowski@legis.wisconsin.gov
Carbon copy (CC) to: aaron.gary@legis.wisconsin.gov
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Pre Topic:

No specific pre topic given

Topic:

Various changes relating to implements of husbandry, agricultural commercial motor vehicles, and no fee permits

Instructions:

Companion to LRBa0264/1, for SB83

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>
/?	agary 4/6/2015	kfollett 4/6/2015		_____			
/1				_____	sbasford 4/6/2015	sbasford 4/6/2015	

FE Sent For:

<END>



State of Wisconsin
2015 - 2016 LEGISLATURE

in
4/6

90308/1

LRBa0204/1
ARG:cjs&kjf:kf

Senate

Now

~~ASSEMBLY~~ AMENDMENT,
TO ~~ASSEMBLY~~ BILL 113
Senate

83

Companion - no changes except

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 2, line 1: delete "highways and" and substitute "highways,".
- 3 **2.** Page 2, line 2: after "highways" insert ", and farm equipment sales".
- 4 **3.** Page 6, line 1: before that line insert:
- 5 "SECTION 1c. 100.47 (3) (b) of the statutes is amended to read:
- 6 100.47 (3) (b) No person in the business of selling farm equipment may sell
- 7 farm equipment that can be operated on a highway unless, at the time of sale, the
- 8 person who sells the farm equipment discloses to the buyer the gross vehicle weight
- 9 and axle weights of the farm equipment.".
- 10 **4.** Page 7, line 1: delete lines 1 to 6 and substitute:
- 11 "340.01 (1o) (e) (intro.) The vehicle is directly engaged in harvesting farm
- 12 products, directly applies being used in any of the following ways:

1 1. For directly distributing feed to livestock or for directly applying fertilizer,
2 lime, spray, or seeds, but not manure, to a farm field, or distributes feed to livestock.”.

3 **5.** Page 7, line 7: delete “4. and 5.” and substitute “2. and 3.”.

4 **6.** Page 7, line 8: delete “4.” and substitute “2.”.

5 **7.** Page 7, line 9: after “harvested” insert “or for assisting another vehicle
6 directly planting potatoes by delivering seed potatoes to the planter”.

7 **8.** Page 7, line 10: delete “5.” and substitute “3.”.

8 **9.** Page 7, line 23: delete the material beginning with “or” and ending with
9 “truck” on line 24 and substitute “~~or~~ motor truck, or agricultural commercial motor
10 vehicle”.

11 **10.** Page 9, line 16: delete “One hundred” and substitute “One hundred Except
12 as provided in subd. 3., 100”.

13 **11.** Page 9, line 19: after that line insert:

14 “**SECTION 11m.** 348.07 (2) (e) 3. of the statutes is created to read:

15 348.07 (2) (e) 3. No length limitation for an implement of husbandry that is an
16 irrigation system in combination with a farm tractor, farm truck, farm truck tractor,
17 or motor truck temporarily operated upon a highway.”.

18 **12.** Page 13, line 9: delete “2., or 3.,”.

19 **13.** Page 13, line 20: delete “1., 2.” and substitute “1.”.

20 **14.** Page 13, line 21: delete “or 3.”.

21 **15.** Page 14, line 3: delete “2.,”.

22 **16.** Page 14, line 4: delete “or 3.,”.

23 **17.** Page 14, line 11: delete “1., 2., or 3.” and substitute “1.”.

1 **18.** Page 14, line 20: delete “2., or 3.,”.

2 **19.** Page 16, line 9: after that line insert:

3 “**SECTION 32g.** 348.27 (19) (a) 1. of the statutes is amended to read:

4 348.27 (19) (a) 1. The department or its designee, with respect to state trunk
5 highways and bridges crossing over state trunk highways.

6 **SECTION 32r.** 348.27 (19) (a) 2. of the statutes is amended to read:

7 348.27 (19) (a) 2. The municipality or county responsible for maintenance of
8 the highway or its designee, with respect to any highway that is not a state trunk
9 highway, including any connecting highway. This subdivision does not apply to any
10 bridge crossing over a state trunk highway.”.

11 **20.** Page 16, line 21: delete “an” and substitute “an a complete”.

12 **21.** Page 17, line 3: after that line insert:

13 “**SECTION 33m.** 348.27 (19) (b) 2. of the statutes is amended to read:

14 348.27 (19) (b) 2. Subject to subd. 3. and par. (c), any person to whom a no-fee
15 permit has been issued under this subsection may, at any time, apply for an
16 amendment to the permit to reflect a change in the applicant’s circumstances or
17 information, including a change in the listing or map of highways to be traveled.
18 Upon receiving ~~an~~ a complete application for amendment under this subdivision, the
19 maintaining authority shall provide the applicant with a decision on the application
20 within 5 business days of its receipt. If the maintaining authority fails to approve
21 or deny the application within this period of 5 business days, the application is
22 considered approved until the applicant receives a denial meeting the requirements
23 under subd. 4. or until 10 business days from receipt of the application. If the
24 maintaining authority fails to approve or deny the application within 10 business

1 days of its receipt, the application is approved. This subdivision does not apply if the
2 permit is a resolution or ordinance adopted under subd. 5. This subdivision does not
3 apply with respect to a replacement vehicle as described in par. (c) 10.

4 **SECTION 33m.** 348.27 (19) (b) 4. of the statutes is amended to read:

5 348.27 (19) (b) 4. ~~If a maintaining authority denies a~~ After receiving a complete
6 permit application under subd. 1. or 2., if a maintaining authority denies the
7 application, it shall notify the applicant in writing of the denial and the notice shall
8 include a reasonable and structurally based explanation of the denial that relates to
9 the preservation of the roadway.”.

10 **22.** Page 17, line 5: delete lines 5 to 12 and substitute:

11 “348.27 (19) (b) 4m. a. If a maintaining authority receives a complete permit
12 application with respect to, or a complete application to amend a permit, for an
13 implement of husbandry described in s. 340.01 (24) (a) 1. b. and the only basis to deny
14 the application is the listing or map of highways under par. (c) 3. accompanying the
15 application, or for an agricultural commercial motor vehicle used as described in s.
16 340.01 (1o) (e) 1., the maintaining authority may not deny the application. However,
17 the maintaining authority shall may modify the application to include an approved
18 alternate route or map of highways other than those specified by the applicant under
19 par. (c) 3. for operation or transportation of the implement of husbandry or
20 agricultural commercial motor vehicle and shall approve the application.”.

21 **23.** Page 17, line 13: before that line insert:

22 **SECTION 34m.** 348.27 (19) (b) 4m. b. of the statutes is amended to read:

23 348.27 (19) (b) 4m. b. ~~The approved~~ For a maintaining authority under par. (a)
24 2., the alternate route or map of highways under subd. 4m. a. may include highways

1 that are not under the jurisdiction of the maintaining authority issuing the permit
2 only upon prior approval of the maintaining authority having jurisdiction over those
3 highways, except that no prior approval is required with respect to a highway on
4 which the implement of husbandry or agricultural commercial motor vehicle may be
5 legally operated or transported without a permit or as authorized by a resolution or
6 ordinance serving as a permit under subd. 5. b. For a maintaining authority under
7 par. (a) 1., the alternate route or map of highways under subd. 4m. a. may not include
8 highways that are not under the jurisdiction of the maintaining authority issuing the
9 permit.”.

10 **24.** Page 19, line 18: on lines 18 and 24, after “permit.” insert “This
11 subdivision does not apply to a bridge crossing over a state trunk highway.”.

12 **25.** Page 19, line 24: after that line insert:

13 “SECTION 41m. 348.27 (19) (c) 10. of the statutes is created to read:

14 348.27 (19) (c) 10. If an implement of husbandry or agricultural commercial
15 motor vehicle for which a permit has been issued under this subsection is removed
16 from service or sold, the permit authorizes the permittee to operate or transport a
17 replacement vehicle of equal or lesser axle weight and gross weight, or of equal or
18 lesser length, for the remainder of the valid period of the permit. The original terms
19 of the permit, including any requirements imposed by the maintaining authority for
20 issuance of the permit, apply to the permittee’s operation or transportation of the
21 replacement vehicle under the permit. If the replacement vehicle is of greater axle
22 weight or gross weight, or of greater length, than that for which the permit was
23 issued, the replacement vehicle may not be operated or transported under the permit

1 and application must be made under par. (b) 1. and a new no-fee permit issued for
2 the replacement vehicle before its operation or transportation is authorized.”

3 (END)