

2015 DRAFTING REQUEST

Bill

Received: **9/23/2014** Received By: **emueller**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget** By/Representing: **Mette**
May Contact: Drafter: **emueller**
Subject: **Transportation - traffic laws** Addl. Drafters:
Extra Copies: **ZDW, ARG**

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to: **eric.mueller@legis.wisconsin.gov**
sbostatlanguage@webapps.wi.gov

Pre Topic:

DOA:.....Mette, BB0352 -

Topic:

Vehicles required to stop at railroad crossings

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>
/?	emueller 10/9/2014	jdye 10/13/2014		_____			
/P1	emueller 1/5/2015		jmurphy 10/14/2014	_____	sbasford 10/14/2014		
/P2		jdye	rschluet	_____	sbasford		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		1/6/2015	1/6/2015	_____	1/6/2015		

FE Sent For:

<END>

2015 DRAFTING REQUEST

Bill

Received: 9/23/2014 Received By: emueller
Wanted: As time permits Same as LRB:
For: Administration-Budget ✓ By/Representing: Mette
May Contact: Drafter: emueller
Subject: Transportation - traffic laws Addl. Drafters:
Extra Copies: ZDW, ARG

Submit via email: YES
Requester's email:
Carbon copy (CC) to: eric.mueller@legis.wisconsin.gov ✓
sbostatlanguage@webapps.wi.gov ✓

Pre Topic:

DOA:.....Mette, BB0352 -

Topic:

Vehicles required to stop at railroad crossings ✓

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>
/?	emueller 10/9/2014	jd 10/13/2014	jd	_____			
/P1	emueller	P2 1/6 jld	jmurphy 10/14/2014	_____	sbasford 10/14/2014		
/P2	EJM 1/5/15			_____			

FE Sent For:

<END>

2015 DRAFTING REQUEST

Bill

Received: **9/23/2014** Received By: **emueller**
Wanted: **As time permits** Same as LRB:
For: **Transportation** By/Representing: **Anna Richter**
May Contact: Drafter: **emueller**
Subject: **Transportation - traffic laws** Addl. Drafters:
Extra Copies: **ZDW, ARG**

Submit via email: **YES**
Requester's email: **Anna.Richter@dot.wi.gov**
Carbon copy (CC) to: **eric.mueller@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Rail crossing stopping requirements for cargo tank vehicles

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>
/?	emueller 10/9/2014	jdyer 10/13/2014		_____			
/P1			jmurphy 10/14/2014	_____	sbasford 10/14/2014		

FE Sent For:

<END>

2015 DRAFTING REQUEST

Bill

Received: 9/23/2014

Received By: emueller

Wanted: As time permits

Same as LRB:

For: Transportation

By/Representing: Anna Richter

May Contact:

Drafter: emueller

Subject: Transportation - traffic laws

Addl. Drafters:

Extra Copies: ZDW, ARG

Submit via email: YES
Requester's email: Anna.Richter@dot.wi.gov
Carbon copy (CC) to: eric.mueller@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Rail crossing stopping requirements for cargo tank vehicles

Instructions:

See attached

Drafting History:

Table with columns: Vers., Drafted, Reviewed, Typed, Proofed, Submitted, Jacketed, Required. Includes handwritten notes like 'PI 10/13 jld jd' and '10/9/14'.

FE Sent For:

<END>

**Department of Transportation
2015-2017 Biennial Budget Request
STATUTORY MODIFICATIONS**

DIN NUMBER: XXXX

TOPIC: Rail crossing stopping requirements for cargo tank vehicles

DESCRIPTION OF CHANGE:

The Department requests statutory modification of s. 346.45 (1), Wis Stats., to require a stop at railroad crossings by every cargo tank motor vehicle, whether loaded or empty, transporting any commodity under exemption in accordance with subpart B of 49 CFR 107

JUSTIFICATION:

Wisconsin statute requires a stop at railroad crossings by cargo tank motor vehicles only if they are used to transport any liquid with a flashpoint below 200 degrees Fahrenheit or, if carrying a commodity which, at the time of loading, has a temperature above its flashpoint. In a 2012 audit report on Wisconsin's motor carrier program, the Federal Motor Carrier Safety Administration (FMCSA), Wisconsin was cited because its statutes were termed "incompatible" with federal rules and regulations. FMCSA advised Wisconsin to "require every cargo tank motor vehicle, whether loaded or empty, transporting any commodity under exemption in accordance with the provisions of subpart B of 49 CFR 107."

The change will ensure that all commercial cargo tank motor carriers, including those classified as "exempt" because of unique construction or because the cargo it carries is specific to a particular industry, shall always stop at all railroad crossings. This requirement will ensure safety in all situations by extending this requirement that most cargo tank carriers already are required to stop.

Without these statutory changes, Wisconsin's non-compliance with federal statute and regulation could result in a loss of \$4.5 million in federal funds that are currently allocated to the motor carrier enforcement program that funds 113 Division of State Patrol inspectors and 13 motor carrier investigators.



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0042/P1 0233/P1
EVM:jld:jm

SOON

Keep

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Agency Budget Draft

RMNR

10/9/14

do not gen
relating to:
the budget

- 1 AN ACT to create 346.45 (1) (g) of the statutes; relating to: vehicles required to
- 2 stop at railroad crossings.

Analysis by the Legislative Reference Bureau

head
TRANSPORTATION
OTHER TRANSPORTATION
sub

Under current law, the operator of certain vehicles, before crossing an at-grade railroad crossing, must stop the vehicle within 50 feet but not less than 15 feet from the nearest rail. Among the vehicles required to stop are certain motor buses and certain motor vehicles that transport certain hazardous materials.

Under this bill, a cargo tank motor vehicle transporting a hazardous material under a special permit issued by the federal Department of Transportation exempting the permittee from certain federal regulations related to the transport of hazardous material is added to the group of vehicles that must stop before crossing an at-grade railroad crossing.

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

- 3 SECTION 1. 346.45 (1) (g) of the statutes is created to read:

Mueller, Eric

From: CathleneH <cathleneh@gmail.com>
Sent: Monday, December 22, 2014 2:08 PM
To: Wyatt, Zachary; Mueller, Eric
Subject: Fwd: Statutory Language Drafting Request - BB0352

Sent from my iPhone

Begin forwarded message:

From: <Bryan.Mette@Wisconsin.gov>
Date: December 22, 2014 at 1:30:58 PM AST
To: <cathlene.hanaman@legis.wisconsin.gov>
Cc: <Paul2.Ziegler@wisconsin.gov>, <Bryan.Mette@wisconsin.gov>, <Christopher.Connor@wisconsin.gov>
Subject: Statutory Language Drafting Request - BB0352

Biennial Budget: 2015-17

DOA Tracking Code: BB0352

Topic: Vehicles Required to Stop at Railroad Crossings

SBO Team: TLGED

SBO Analyst: Mette, Bryan - DOA
Phone: 608-266-1039
E-mail: Bryan.Mette@Wisconsin.gov

Agency Acronym: WisDOT

Agency Number: 395

Priority: Low

Intent:

Creating a Sharepoint record of already submitted draft.

LRB 0233

Attachments: False

Please send completed drafts to SBOSatlanguage@webapps.wi.gov



DOA....

PMR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

regen header

1/12/15

x don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

OTHER TRANSPORTATION

Under current law, the operator of certain vehicles, before crossing an at-grade railroad crossing, must stop the vehicle within 50 feet but not less than 15 feet from the nearest rail. Among the vehicles required to stop are certain motor buses and certain motor vehicles that transport certain hazardous materials.

Under this bill, a cargo tank motor vehicle transporting a hazardous material under a special permit issued by the federal Department of Transportation exempting the permittee from certain federal regulations related to the transport of hazardous material is added to the group of vehicles that must stop before crossing an at-grade railroad crossing.

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

2 SECTION 1. 346.45 (1) (g) of the statutes is created to read:



DOA:.....Mette, BB0352 – Vehicles required to stop at railroad crossings

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

OTHER TRANSPORTATION

Under current law, the operator of certain vehicles, before crossing an at-grade railroad crossing, must stop the vehicle within 50 feet but not less than 15 feet from the nearest rail. Among the vehicles required to stop are certain motor buses and certain motor vehicles that transport certain hazardous materials.

Under this bill, a cargo tank motor vehicle transporting a hazardous material under a special permit issued by the federal Department of Transportation exempting the permittee from certain federal regulations related to the transport of hazardous material is added to the group of vehicles that must stop before crossing an at-grade railroad crossing.

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

2 **SECTION 1.** 346.45 (1) (g) of the statutes is created to read:

