



2015 ASSEMBLY BILL 424

October 19, 2015 – Introduced by Representatives RIPP, ALLEN, KLEEFISCH, A. OTT and WEATHERSTON, cosponsored by Senators PETROWSKI, COWLES and LASSA. Referred to Committee on Transportation.

1 **AN ACT to renumber and amend** 194.03 (6); and **to amend** 194.03 (title), 194.03
2 (1), 194.03 (2), 194.20 (title) and 194.20 (1) of the statutes; **relating to:**
3 applying motor carrier regulations to motor carriers operating in intrastate
4 commerce.

Analysis by the Legislative Reference Bureau

This bill applies certain provisions governing interstate motor carriers to motor carriers engaged in intrastate commerce.

Under current law, with limited exceptions, a person who transports passengers or property for hire by motor vehicle on the highways is a common motor carrier or a contract motor carrier and a person other than a for-hire motor carrier that transports property or passengers on the highways by commercial motor vehicle is a private motor carrier (collectively motor carrier). Current law includes certain regulation of motor carriers engaged in interstate commerce. With limited exceptions, a common motor carrier or contract motor carrier engaged in interstate commerce must operate under a motor carrier certificate of authority or license and must meet certain insurance requirements. Various other state laws, including laws relating to vehicle equipment and vehicle inspection, govern motor carriers engaged in interstate commerce. Federal laws, including federal motor carrier safety standards, also govern motor carriers engaged in interstate commerce. DOT has authority under state law to promulgate rules regulating the safety of interstate motor carrier operations, including rules implementing federal motor carrier safety standards.

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Under this bill, these provisions of current law relating to interstate motor carriers, including DOT's regulatory authority over interstate motor carriers, also apply to motor carriers engaged in intrastate commerce.

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

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

1 **SECTION 1.** 194.03 (title) of the statutes is amended to read:

2 **194.03** (title) **Interstate and foreign commerce and intrastate**
3 **commerce.**

4 **SECTION 2.** 194.03 (1) of the statutes is amended to read:

5 194.03 (1) This chapter shall apply to motor carriers engaged in interstate and
6 foreign commerce upon the public highways of this state, in all particulars and
7 provisions lawful under the constitution of the United States and to motor carriers
8 engaged in intrastate commerce upon the public highways of this state.

9 **SECTION 3.** 194.03 (2) of the statutes is amended to read:

10 194.03 (2) Fees and taxes provided in this chapter shall be assessed against
11 operations in interstate and foreign commerce and intrastate commerce and
12 collected from the carriers performing such operations, as partial compensation for
13 the use of the highways and policing of the same.

14 **SECTION 4.** 194.03 (6) of the statutes is renumbered 194.01 (6m) and amended
15 to read:

16 194.01 (6m) Whenever the term “interstate Interstate commerce” is used in
17 this chapter it shall be interpreted as including includes foreign commerce.

18 **SECTION 5.** 194.20 (title) of the statutes is amended to read:

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1 **194.20 (title) Certificates and licenses for carriers in interstate and**
2 **foreign commerce and intrastate commerce.**

3 **SECTION 6.** 194.20 (1) of the statutes is amended to read:

4 194.20 (1) Motor carriers operating in interstate ~~and foreign commerce~~ or
5 intrastate commerce shall obtain certificates and licenses as provided in ss. 194.23
6 and 194.34. ~~Certificates~~ These certificates and licenses ~~which involve operations in~~
7 ~~interstate and foreign commerce~~ may be denied by the department if it finds that the
8 record and experience of the applicant evinces a disposition to violate or evade the
9 laws or regulations of the state applicable to the operations proposed by the
10 applicant.

11 **SECTION 7. Initial applicability.**

12 (1) This act first applies to motor carrier operations occurring on, and fees and
13 taxes assessed on, the effective date of this subsection.

14 **SECTION 8. Effective date.**

15 (1) This act takes effect on January 1, 2016, or on the day after publication,
16 whichever is later.

17 **(END)**