

2015 DRAFTING REQUEST

Bill

Received: **10/1/2015** Received By: **emueller**
For: **Keith Ripp (608) 266-3404** Same as LRB: **-3464**
May Contact: By/Representing: **Elisabeth**
Subject: **Transportation - motor vehicles** Drafter: **emueller**
Transportation - traffic laws Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Rep.Ripp@legis.wisconsin.gov**
Carbon copy (CC) to: **eric.mueller@legis.wisconsin.gov**
zachary.wyatt@legis.wisconsin.gov
aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Interstate and intrastate compliance reviews

Instructions:

Same as 15-0035

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller 10/1/2015	anienaja 10/1/2015	_____			
/P1	emueller 10/2/2015		_____	srose 10/1/2015		State
/1		anienaja	_____	mbarman	lparisi	State

Vers. Drafted

Reviewed
10/2/2015

Proofed

Submitted
10/2/2015

Jacketed
10/8/2015

Required

FE Sent For:

①
INTRO

<END>

Mueller, Eric

From: Portz, Elisabeth
Sent: Thursday, October 01, 2015 2:43 PM
To: Mueller, Eric
Cc: Yahn, Nate - DOT; Punches, Derek
Subject: 0035/p1
Attachments: 15-0035_P1.pdf

Hey Eric,

We have another bill we'd like to get out today or tomorrow. Can you take a look at 0035/p1? The Act information is missing and the title of the bill says "the budget." Can this be changed? It's not a part of the budget and can be misleading if we leave it.

Thanks a bunch!

Liz

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



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-0035/PI 3453/PI
EVM:jld/rs
+amm
RMMR

10/1/15

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓
Keb

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

1

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

applying motor carrier regulations to motor carriers operating in intrastate commerce

Analysis by the Legislative Reference Bureau

TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

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 common motor carrier or contract motor carrier that transports property on the highways by motor vehicle other than automobile or automobile and trailer 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.

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.

or passengers

for-hire

commercial

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:

19 **194.20 (title) Certificates and licenses for carriers in interstate ~~and~~**
20 **foreign commerce and intrastate commerce.**

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

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

8 **SECTION 9345. Initial applicability; Transportation.** *This act*

9 (1) INTRASTATE MOTOR CARRIERS. The treatment of sections 194.03 (title), (1), (2),
 10 and (6) and 194.20 (title) and (1) of the statutes first applies to motor carrier
 11 operations occurring on, and fees and taxes assessed on, the effective date of this
 12 subsection. *it*

13 **SECTION 9445. Effective dates; Transportation.** *date*

14 (1) INTRASTATE MOTOR CARRIERS. The treatment of sections 194.03 (title), (1), (2),
 15 and (6) and 194.20 (title) and (1) of the statutes and SECTION 9345 (1) of this act take
 16 effect on January 1, 2016, or on the day after publication, whichever is later. *takes*

(END)



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3453/P1
EVM:jld&amn

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes

10/2/15

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.

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:

Parisi, Lori

From: Portz, Elisabeth
Sent: Thursday, October 08, 2015 1:21 PM
To: LRB.Legal
Subject: Draft Review: LRB -3453/1

Please Jacket LRB -3453/1 for the ASSEMBLY.