

2015 DRAFTING REQUEST

Assembly Amendment (AA-AB558)

Received: 1/13/2016 Received By: zwyatt
For: John Spiros (608) 266-1182 Same as LRB:
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Subject: Transportation - highways Drafter: zwyatt
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Pre Topic:

No specific pre topic given

Topic:

Changes for federal compliance

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	zwyatt 1/15/2016	jdyer 1/15/2016	_____	mbarman 1/15/2016	mbarman 1/15/2016	

FE Sent For:

<END>

Wyatt, Zachary

From: Punches, Derek
Sent: Wednesday, January 13, 2016 9:36 AM
To: Wyatt, Zachary
Cc: Mellon, Erin
Subject: Draft Request: Amendment to SB 566 / AB 558
Attachments: Proposed Modifications to AB 558 (I-39 I-41 corridors) (002).docx

Zach,

We would like to have an amendment drafted for Senate Bill 566 and AB 558 to include changes resulting from feedback received from DOT, and the agricultural and logging stakeholders. In addition, the amendment would also incorporate certain provisions passed in recent federal transportation legislation.

Please see the attached brief for further information. You have our permission to work directly with Nate Yahn, DOT, if you have additional questions on the scope or purpose of the changes.

Do not hesitate to contact me with questions or comments.

Best regards,
Derek

Derek Punches
Clerk, Senate Committee on Transportation and Veterans Affairs
Office of Senator Jerry Petrowski
29th Senate District
(608) 266-2502

PROPOSED MODIFICATIONS TO 2015 ASSEMBLY BILL 558 (LRB-3519/2)

TOPIC: Size and weight limits of vehicles operating on the I 39 and I 41 corridors

STATUTE: Sections 348.15(9)(e) and 348.27(9m)(a), Wis. Stats.

DESCRIPTION OF CHANGE:

➤ **Section I.**

Upon further discussion and consideration amongst the department's counsel, including some related feedback received from LRB in December, it is the final opinion of WisDOT counsel that certain modifications can ultimately be made to sections 6-9 of the bill, without jeopardizing Wisconsin's required compliance with existing federal weight regulations.

As such, the department proposes a simple amendment to the current version ("12") of the bill that reflects the statutory changes outlined below in "Section I." These changes relate to the applicability of the I-41 federal weight grandfather to the current per wheel weight limitation specified in "sub. (3) (a)", which was cross-referenced pursuant to 2015 Act 15 in both subdivisions 1. and 2. under s. 348.15 (9) (e), Wis. Stats.

➤ **Section II.**

Modify the bill, as referenced below in "Section II.", to fully implement the federal weight grandfathering provision for a particular segment of I-39, with respect to the operation of a "covered logging vehicle" up to 98,000 lbs. on 6 axle, which was included in SECTION 1410 of the *Fixing America's Surface Transportation (FAST) Act of 2015*.

The federal Fast Act allows a maximum weight of 98,000 pounds for a covered logging vehicle with six axles to operate on Interstate 39 from mile marker 175.8 to mile marker 189, which is approximately between the town of Knowlton and the city of Wausau in Marathon County.

RECOMMENDATION:

I. Make the following modifications to sections 6-9 of the bill ("LRB-3519/2") –

At the locations indicated, amend the bill as follows:

1. Page 4, line 16: after "~~(a)~~," insert "(a),".

2. Page 4, line 16: delete the material beginning with "sub." and ending with "and 3m.," on line 18 and substitute "sub. (3) (a), (b), (c), and (g), but subject to subd. 3.,".

3. Page 5, line 3: delete the material beginning with "sub." and ending with "and 3m.," on line 5 and substitute "sub. (3) (a), (b), (c), and (g), but subject to subd. 3.,".

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4. Page 5, line 12: delete lines 12 to 17 and substitute:

" 348.15 (9) (e) 3. Subdivisions 1., 2., and 4. do not apply on any highway that is posted with a weight limitation as provided in s. 348.17 (1). ~~Subdivisions~~ Subdivision 1. and 2. do ~~does~~ not apply on any highway that is a part of the national system of interstate and defense highways, except for the I 41 corridor. Subdivision 2. does not apply on any highway that is a part of the national system of interstate and defense highways, except for an implement of husbandry operated on the I 41 corridor. Subdivision 4. does not apply on any highway that is a part of the national system of interstate and defense highways."

5. Page 5, line 18: delete lines 18 to 25.

II. Modify the bill ("LRB-3519/2") to add the following statutory provisions –

At the locations indicated, amend the bill as follows:

1. Page 9, line 22: after that line insert:

" **SECTION 17M.** 348.27 (9m) (a) 4. of the statutes, as affected by 2015 Wisconsin Act 55, is amended to read:

348.27 (9m) (a) 4. Raw forest products in vehicle combinations that exceed the maximum gross weight limitations under s. 348.15 (3) (c) by not more than 18,000 pounds if the vehicle combination has 6 or more axles and the gross weight imposed on the highway by the wheels of any one axle of the vehicle combination does not exceed 18,000 pounds, except that the gross weight imposed on the highway by the wheels of any steering axle on the power unit may not exceed the greater of 13,000 pounds or the manufacturer's rated capacity, but not to exceed 18,000 pounds. Notwithstanding s. 348.15 (8), any axle of a vehicle combination that does not impose on the highway at least 8 percent of the gross weight of the vehicle combination may not be counted as an axle for the purposes of this subdivision. Subject to par.

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(c), a permit under this subdivision is not valid on any interstate highway designated under s. 84.29 (2), except for the I 41 corridor and that portion of the I 39 corridor between the interchange with STH 34 in the town of Knowlton and STH 29 south of the city of Wausau, any highway or bridge with a posted weight limitation that is less than the vehicle combination's gross weight, and any part of the state trunk highway system that the department has designated by rule as a route on which a permit issued under this subsection is not valid.”.

References:

- ❖ "Fixing America's Surface Transportation" (FAST) Act of 2015

23 U.S.C. s. 127

(o) CERTAIN LOGGING VEHICLES IN THE STATE OF WISCONSIN.—

(1) IN GENERAL.—The Secretary shall waive, with respect to a covered logging vehicle, the application of any vehicle weight limit established under this section.

(2) COVERED LOGGING VEHICLE DEFINED.—

In this subsection, the term 'covered logging vehicle' means a vehicle that—

(A) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;

(B) has a gross vehicle weight of not more than 98,000 pounds;

(C) has not less than 6 axles; and

(D) is operating on a segment of Interstate Route 39 in the State of Wisconsin from mile marker 175.8 to mile marker 189.



State of Wisconsin *in 1/15/2016*
2015 - 2016 LEGISLATURE *OUT TODAY*

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9 ASSEMBLY
SENATE AMENDMENT,
9 TO SENATE BILL *558* 566

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 4, line 14: delete the material beginning with that line and ending with
3 page 5, line 9. ✓
- 4 **2.** Page 5, line 13: delete the material beginning with “Subdivisions” and
5 ending with “do” on line 14 and substitute “Subdivisions Subdivision 1. and 2. do
6 does”. ✓
- 7 **3.** Page 5, line 15: delete “corridor unless otherwise specified in subd. 3m.” and ✓
8 substitute “corridor. Subdivision 2. does not apply on any highway that is a part of
9 the national system of interstate and defense highways, except for an implement of
10 husbandry operated on the I 41 corridor.”. ✓
- 11 **4.** Page 5, line 18: delete lines 18 to 25. ✓
- 12 **5.** Page 9, line 22: after that line insert:

