AN ACT to amend 348.11 (1); and to create 348.01 (2) (bb), 348.10 (6) and 348.11 (3) of the statutes; relating to: transport of radiological materials and providing penalties.

Analysis by the Legislative Reference Bureau

This bill limits the operation on a highway of vehicles carrying radiological materials.

Current law provides certain requirements related to loads carried by vehicles or combinations of vehicles on a highway. Among these requirements, no person may operate a vehicle on a highway unless the vehicle is so constructed and loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping from the vehicle. A person who violates this provision may be required to forfeit not less than $10 nor more than $200.

Under this bill, no person may operate on a highway any motor vehicle, trailer, or semitrailer carrying a highway route controlled quantity of radiological materials without a permit issued by the Department of Transportation. A permit for the transport of radiological materials may be for a single trip or for multiple trips and must designate a route to be used by the permittee and require an escort by the state traffic patrol. A person who violates this provision may be required to forfeit not less than $200 nor more than $500.
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:*

**SECTION 1.** 348.01 (2) (bb) of the statutes is created to read:

348.01 (2) (bb) “Highway route controlled quantity” has the meaning given in 49 CFR 173.403.

**SECTION 2.** 348.10 (6) of the statutes is created to read:

348.10 (6) (a) No person may operate on a highway any motor vehicle, trailer, or semitrailer carrying a highway route controlled quantity of radiological materials without a permit under par. (b).

(b) The department may issue single-trip or multiple-trip permits for the transport of radiological materials under this subsection. A permit under this paragraph shall include all of the following:

1. A designated route to be used by the permittee.

2. A requirement for an escort by the state traffic patrol.

(c) Applications for permits under par. (b) shall be made on forms prescribed by the department. The department may charge a fee for a permit under par. (b).

**SECTION 3.** 348.11 (1) of the statutes is amended to read:

348.11 (1) Any person violating s. 348.09 or 348.10, except s. 348.10 (6), may be required to forfeit not less than $10 nor more than $200.

**SECTION 4.** 348.11 (3) of the statutes is created to read:

348.11 (3) Any person violating s. 348.10 (6) may be required to forfeit not less than $200 nor more than $500.

**SECTION 5. Effective date.**
(1) This act takes effect on the 90th day after the day of publication.