



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

<b>2017 Assembly Bill 261</b>	<b>Assembly Amendment 2</b>
<i>Memo published: October 24, 2017</i>	<i>Contact: Amber Otis, Staff Attorney</i>

### **2017 ASSEMBLY BILL 261**

Assembly Bill 261 establishes a route in Milwaukee County for the transportation of “high-wide loads.” “High-wide load” is defined, under the bill, as a motor vehicle transporting property on any portion of the high-wide route if the vehicle exceeds statutory size limitations and no portion of the motor vehicle or the transported property has a greater width than 28 feet or a greater height than 23 feet. The route begins at the intersection of South 70<sup>th</sup> Street and West Washington Street in West Allis and ends at the northern terminus of South Car Ferry Drive in Milwaukee.

The bill generally does the following:

- Requires a person to obtain a permit from the City of Milwaukee to operate a high-wide load on the high-wide route.
- Requires a person to obtain a permit from the City of Milwaukee before installing any permanent structure within the affected area. “Affected area” is defined as “the entire width of the right-of-way of the route extended to a height of 23 feet above the roadway.” The permit must require the permittee, upon request, to remove any obstruction to the use of the route by a high-wide load within five days notice without cost to the user of the route for a high-wide load.
- Prohibits a person from installing any permanent structure with the affected area without the authorization of the City of Milwaukee.
- Prohibits a person from taking any action that would make any portion of the affected area permanently unavailable for use by a high-wide load.

- Requires the City of Milwaukee to consult with all political subdivisions in which any portion of the route is located before issuing or denying a permit to operate a high-wide vehicle on the high-wide route or a permit to install a permanent structure on the high-wide route.
- Requires political subdivisions in which any portion of the route is located to attempt to reach agreements among themselves and with persons using the route for high-wide loads regarding the allocation of costs and provision of services related to removing permanent structures that interfere with the use of any portion of the affected area by high-wide loads, and regarding the timely provision of traffic officer escorts for persons using the high-wide route for high-wide loads.

## **ASSEMBLY AMENDMENT 2**

Assembly Amendment 2 removes the requirement that a person operating a high-wide load on the route must first obtain a permit from the City of Milwaukee to operate on the route. A person operating a load that exceeds statutory size restrictions would, however, be required to obtain any necessary oversize permits from the relevant permitting authority. Additionally, the amendment changes the issuing authority for a permit to install a structure within the affected area from the City of Milwaukee to “a political subdivision in which any portion of the [high-wide route] is located.” Accordingly, the amendment also removes the provisions of the bill requiring the City of Milwaukee to consult with all other political subdivisions in which the route is located before issuing or denying a permit.

The amendment also removes the provision generally prohibiting any person from installing any permanent structure without the authorization of the City of Milwaukee. However, the amendment provides a procedure that requires a person who intends to use the route to notify a political subdivision in which any portion of the route is located and all owners of conflicting obstructions at least eight days before the intended use. The owner of a conflicting obstruction must then remove the obstruction before the date provided in the notice.

## **BILL HISTORY**

Assembly Amendment 2 was offered by Representative Sanfelippo on September 29, 2017. On October 24, 2017, the Assembly Committee on Transportation voted unanimously to recommend adoption of the amendment and passage of Assembly Bill 261, as amended.

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