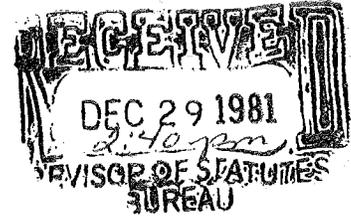


CR 81-175

C E R T I F I C A T E



STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Owen Ayres, Secretary of the Wisconsin Department of Transportation and custodian of the official records of the Department, do hereby certify that the annexed rule relating to the continuing inspection program for highway bridges was duly approved and adopted by this Department on December 29, 1981.

I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereonto set my hand and affixed the official seal of the Department of Transportation in the City of Madison, Wisconsin, this 29 day of December, 1981.



Owen Ayres

OWEN AYRES, P.E
Secretary
Wisconsin Department of
Transportation

3-1-82

Fiscal estimate. The initial rating of state highway bridges over the last two years resulted in an average cost per bridge of under \$250. Compliance with this rule should be somewhat less costly than the initial inventory and rating procedure because the inspector will have this information available. Therefore, the cost of compliance with this rule is estimated to average \$100 to \$150 per bridge. Naturally, local conditions vary greatly and the cost to a particular local government may be higher than this estimated average.

Forms. Copies of bridge inspection forms based on AASHTO standards may be obtained from the DOT Division of Highways and Transportation Facilities, P.O. Box 7916, Madison, Wisconsin 53707.

This analysis has been prepared by Howard I. Bernstein, Office of General Counsel, Wisconsin Department of Transportation, P.O. Box 7910, Madison, Wisconsin 53707, (608) 266-8810.

Pursuant to authority vested in the Department of Transportation by ss. 84.17(3), 110.06(1), and 227.014, Stats., the department of transportation hereby adopts rules interpreting s. 84.17, Stats., as follows:

RULE TEXT

SECTION 1. Trans 212 is created to read:

TRANS 212

STANDARDS FOR THE INSPECTION
OF BRIDGES IN THE STATE OF WISCONSIN

Trans 212.01 PURPOSE. The purpose of this chapter is to interpret and implement s. 84.17(3), Stats., and to provide standards for the continuing inspection of bridges in this state.

212.02 DEFINITIONS. (1) "AASHTO manual" means the Manual for Maintenance Inspection of Bridges 1978, 3rd edition 1979, published by the American association of state highway and

transportation officials, 444 North Capitol Street, N.W.,
Washington, D.C. 20001.

[Note: This manual is on file at the offices
of the division of highways and transportation
facilities, Wisconsin department of transpor-
tation, of the secretary of state and of the
revisor of statutes.]

(2) "Bridge" means a structure, including supports, erected
over a depression or an obstruction, such as water, a highway,
or a railway, having a track or passageway for carrying traffic
or other moving loads, and having an opening measured along the
center of the roadway of more than 20 feet between the under-
coping of abutments or spring lines of arches, or extreme ends
of the openings for multiple boxes. It may include multiple
pipes where the clear distance between openings is less than
half of the smaller contiguous opening.

(3) "Department" means the Wisconsin department of trans-
portation.

(4) "Inspection" means the examination of a bridge, the
evaluation of the physical condition observed, and the report
of the observations and evaluations on a bridge inspection
report form adopted by the department.

[Note: The bridge inspection report forms re-
ferred to in this subsection are: (1) "Annual
Bridge Inspection Report," #E-M-30, and (2)
"Supplemental Information to Annual Bridge
Inspection," #E-M-36. Copies of these report
forms may be obtained from the department.]

(5) "Inventory" means the gathering and reporting of all
information required on the bridge inventory form adopted by
the department.

(6) "Rating" means determining the safe load-carrying capacity of a bridge.

(7) "Posting" means the placement of regulatory signs at a bridge indicating the safe load-carrying capacity of the bridge.

(8) "Bridge inspector's training manual" means the Bridge Inspector's Training Manual 70, 1979, published by the federal highway administration and available from the superintendent of documents, U.S. government printing office, Washington, D.C. 20402.

[Note: This manual is on file at the offices of the division of highways and transportation facilities, Wisconsin department of transportation, of the secretary of state and of the revisor of statutes.]

212.03 APPLICATION OF CHAPTER. The bridge inspection and inventory standards in this chapter apply to all highway bridges which either lie within or cross the borders of the state of Wisconsin. Bridges carrying only railroad traffic and bridges used only by pedestrians, bicycles, and recreational vehicles are excluded from the application of this chapter.

212.04 RESPONSIBILITY FOR INSPECTION. The responsibility for the continuing inspection program shall be as follows:

(1) The department shall inspect highway bridges on the state trunk highway system and all other bridges for which the department has been assigned maintenance responsibility.

(2) Each local authority or other authority having jurisdiction over a non-department maintained bridge shall inspect the highway bridges on highways under its jurisdiction.

212.05 QUALIFICATION OF PERSONNEL. Individuals involved in the inspection of bridges as required by this chapter shall meet the minimum requirements set forth in the AASHTO manual.

212.06 FREQUENCY OF INSPECTIONS. (1) State-owned or state-maintained bridges shall be inspected annually.

(2) Locally owned bridges shall be inspected at regular intervals not to exceed 2 years.

(3) Interim inspections at intervals other than those specified in subs. (1) and (2) shall be conducted as found necessary by the maintenance authority on bridges that are posted, bridges subjected to excessive run-off that may cause scour, and bridges that have known deficiencies.

212.07 FREQUENCY OF INVENTORY. An inventory shall be maintained for each bridge. Changes in inventory data or postings for existing bridges shall be reported to the appropriate department official or officials when the bridges are inspected and when significant changes occur. The inventory of a new bridge shall be obtained upon completion of its construction and the information shall be submitted to the department at that time for use in maintaining the statewide bridge file.

212.08 INSPECTION. The items to be inspected on each bridge include, but are not limited to, the items specified on the bridge inspection report form. The bridge inspector's training manual shall be used as a guide to additional items to be inspected in special cases.

212.09 RATINGS. Each bridge required to be inspected under this chapter shall be rated to determine its safe load-carrying

capacity. Significant changes in the condition of a bridge shall be reported to the department as soon as possible. When the significant change affects the rating of the bridge, the bridge shall be rerated by the maintenance authority. Ratings shall be determined in accordance with the AASHTO manual.

212.10 POSTING. When it is determined that the maximum legal load under state law exceeds the load permitted on a bridge as described in the AASHTO manual, the bridge shall be posted for weight limits.

212.11 REPORTING. The reporting of bridge inspections shall be as follows:

(1) Bridges for which the department has inspection responsibility shall be reported for maintenance purposes each year. The department personnel responsible for these bridge inspections shall submit the inspection reports for updating the statewide bridge file to the appropriate department official or officials by February 1 of each odd year.

(2) Each authority having jurisdiction over a bridge for which the department has no inspection responsibility shall report the results of all its bridge inspections to the county highway commissioner of the county in which the authority is located by January 1 of each odd year.

(3) Each county highway commissioner shall report the results of all non-state maintained bridge inspections in his or her county to the appropriate department official or officials. Reports for all local bridges that are not a department

responsibility shall be submitted to the department by February 1 of each odd year.

(4) The department shall inform the county highway commissioners of revisions to the file data generated by the reports for bridges in their county as soon as practicable after the department's receipt of the reports generating the file data revisions.

(5) After February 1 of each odd year, the department shall compile a list of any local governments which have not submitted the reports required by subs. (2) and (3) and shall submit this list to the senate and the assembly committees concerned with transportation issues.

(End of Rule Text)

This rule shall take effect upon publication as provided in s. 227.026(1)(intro.), Wis. Stats.

Dated at Madison, Wisconsin, this
79 day of December, 1981.



OWEN AYRES, P.E.
Secretary
Wisconsin Dept. of Transportation



State of Wisconsin \

DEPARTMENT OF TRANSPORTATION



PLEASE REPLY TO:

OFFICE OF GENERAL COUNSEL

4802 Sheboygan Avenue

P. O. Box 7910

Madison, WI 53707

Telephone: (608) 266-8810

December 28, 1981

Mr. Orlan Prestegard
Revisor of Statutes
Room 411 West, State Capitol
Madison, WI 53702

Re: Clearinghouse Rule 81-175 (TRANS 212)
Clearinghouse Rule 81-176 (TRANS 213)
Publication of Rules in Wis. Admin. Code; Sec. 227.025

Dear Mr. Prestegard:

Enclosed for filing pursuant to sec. 227.023, Wis. Stats., please find a certified copy of CR 81-175 (TRANS 212), an administrative rule relating to the continued inspection program for highway bridges, and a certified copy of CR 81-176 (TRANS 213), an administrative rule relating to the local bridge program. These two administrative rules are submitted by the Wisconsin Department of Transportation.

Also enclosed for filing pursuant to sec. 227.025, Wis. Stats., please find a copy of the standards incorporated by reference in subs. TRANS 212.02(1) and (8) and sub. TRANS 213.02(8), Wis. Admin. Code. Also enclosed is a copy of the letter communicating permission for the incorporation of the standards. That approval was granted by the Revisor of Statutes and by the Attorney General's office.

Sincerely,

Philip Peterson
Assistant General Counsel

PPP:hml

Enclosures

cc: Harold L. Fiedler
Marvin Schaeffer
Ed Byrkit
Thomas Hart
Stan Woods
Bill Frantz
Doug Duckert

Thiel

The State of Wisconsin
Department of Justice



123 West Washington Avenue
Mailing Address: P.O. Box 7857
Madison, Wisconsin 53707

October 29, 1981

Bronson C. La Follette
Attorney General

F. Joseph Sensenbrenner, Jr.
Deputy Attorney General

RECEIVED

OCT 30 1981

OFFICE OF
THE SECRETARY

Mr. Owen Ayres
Secretary
Department of Transportation
Hill Farms State Office Building
4802 Sheboygan Avenue
Madison, Wisconsin 53707

Re: Proposed Incorporation of Standards by Reference
Pursuant To Sec. 227.025, Stats.; Proposed Chapters
TRANS 212 and TRANS 213, Wis. Admin. Code

Dear Secretary Ayres:

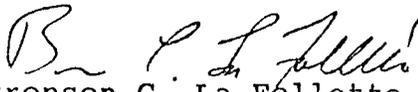
This is in response to the Department of Transportation's request for our consent under sec. 227.025, Stats., to the incorporation of reference of certain standards relating to the maintenance of bridges in administrative rules being adopted by the Department. You have furnished us copies of the materials which are proposed to be incorporated by reference, namely:

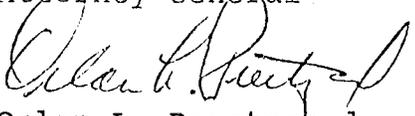
1. Manual For Maintenance Inspection Of Bridges 1978 (3rd Edition 1979) published by the American Association of State Highway and Transportation Officials (AASHTO);
2. Bridge Inspector's Training Manual 70 (1979) published by the United States Department of Transportation, Federal Highway Administration; and
3. Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation's Bridges (1979) published by the United States Department of Transportation, Federal Highway Administration.

We have reviewed the text of the proposed rule and the above-described materials and are of the opinion that it would be appropriate to incorporate them by reference in the proposed rules. The materials contain highly technical engineering standards and information that is of limited public interest and they are readily available in published form. Therefore, we hereby give our consent to their incorporation subject to the following qualifications:

1. The proposed rule text must recite the specific edition of the manuals that will be incorporated by reference. As you are aware, updated editions of these standards, if any, are not automatically incorporated by reference.
2. The proposed rule text does not specifically identify the Recording And Coding Guide For The Structure Inventory And Appraisal Of The Nation's Bridges. Therefore, it is unclear in what respect that standard applies in the proposed rules. In my view, a general reference to applicable AASHTO or federal guidelines is insufficient.
3. The proposed rule text must also state that the materials incorporated by reference therein are on file with the Revisor of Statutes, the Secretary of State, and the Department of Transportation.

Sincerely yours,


Bronson C. La Follette
Attorney General


Orlan L. Prestegard
Revisor of Statutes

BCL:OLP:jlp

cc: J. Thiel
H. Fiedler