

CR 88-26

CERTIFICATE

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AUG 18 1988
8:30 am
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Bureau

STATE OF WISCONSIN)
) s.s.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, RONALD R. FIEDLER, Secretary of the Wisconsin Department of Transportation and custodian of the official records do hereby certify that the rule relating to motor carrier safety requirements for transportation of hazardous materials was duly approved and adopted by this department on August 16, 1988.

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 hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 16th day of August, 1988.



RONALD R. FIEDLER, P.E.
Secretary

OFFICE OF THE SECRETARY

IN THE MATTER OF THE ADOPTION	*	
OF CREATING TRANS 326, WISCONSIN	*	
ADMINISTRATIVE CODE, RELATING TO	*	ORDER ADOPTING
MOTOR CARRIER SAFETY REQUIREMENTS	*	RULE
FOR TRANSPORTATION OF HAZARDOUS	*	
MATERIALS	*	

Analysis Prepared by the Wisconsin Department of Transportation

General Summary of Proposed Rule. Chapter Trans 326 adopted motor carrier safety requirements for transportation of hazardous materials of the United States department of transportation in effect on October 1, 1987. This proposed amendment changes the date from October 1, 1984 to October 1, 1987. This change allows Wisconsin to enforce the most recent version of the motor carrier safety requirements for transportation of hazardous materials. All vehicles operating in interstate commerce are already subject under federal law, to any changes that have been adopted between October 1, 1984 and October 1, 1987.

Fiscal estimate. This rule change will not have a fiscal effect upon the state, any local governments or the private sector.

Regulatory of flexibility analysis. This rule change will not have an effect upon any small businesses.

This analysis was prepared by Joe Maassen, Assistant General Counsel, Office of General Counsel, Wisconsin Department of Transportation, P.O. Box 7910, Madison, Wisconsin 53707 (608) 266-8810.

Rule Text

SECTION 1. TRANS 326.01 is amended to read:

Trans 326.01 FEDERAL RULES ADOPTED. The following federal regulations adopted by the United States department of transportation and in effect on ~~March-28,-1985~~ October 1, 1987, are adopted by the department and shall be enforced in relation to those carriers, drivers or vehicles to which these federal

rules apply in the same manner as though the regulations were set out in full in this section:

(1) Title 49, Code of Federal Regulations, part 107, Hazardous Materials Program Procedures;

(2) Title 49, Code of Federal Regulations, part 171, Hazardous Materials Regulations;

(3) Title 49, Code of Federal Regulations, part 172, Hazardous Materials Tables and Hazardous Materials Communications Regulations;

(4) Title 49, Code of Federal Regulations, part 173, General Requirements for Shipments and Packagings;

(5) Title 49, Code of Federal Regulations, part 177, Carriage by Public Highway;

(6) Title 49, Code of Federal Regulations, part 178, Shipping Container Specifications.

(End of Rule Text)

This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin

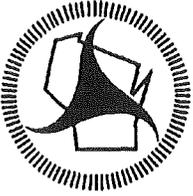
this 16th day of August, 1988.



RONALD R. FIEDLER, P.E.

Secretary

Wisconsin Department of
Transportation



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Ronald R. Fiedler, PE
Secretary

OFFICE OF GENERAL COUNSEL
P. O. Box 7910
Madison, WI 53707-7910

August 16, 1988

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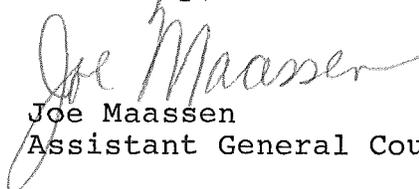
Mr. Gary Poulson
Assistant Revisor of Statutes
30 West Mifflin Street
Suite 702
Madison, Wisconsin 53703

RE: Clearinghouse Rule 88-26
In the Matter of the Adoption of
Trans 326, Wisconsin Administrative Code

Dear Mr. Poulson:

Enclosed for filing, pursuant to sec. 227.20, Wis. Stats., is a certified copy of CR 88-26, an administrative rule relating to motor carrier safety requirements for transportation of hazardous materials. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,


Joe Maassen
Assistant General Counsel

JM:dmy
Enclosure
cc: Tom Walker
Maynard Schneider
Jim Van Sistine
Lyle Walheim
Senator Plewa
Representative Antaramian