

CERTIFICATE

RECEIVED

MAY 26 1992
1:30 pm
Revisor of Statutes
Bureau

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **standards for the inspection of bridges in Wisconsin**, was duly approved and adopted by this Department on May 26, 1992.

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 26 day of May, 1992.

Charles H. Thompson
CHARLES H. THOMPSON
Secretary

IN THE MATTER OF a rule amending s. Trans 212.02(1) and (8), 212.09 and 212.11(1), Wisconsin Administrative Code, relating to standards for the inspection of bridges in Wisconsin.

ORDER ADOPTING RULE

Analysis Prepared by the Wisconsin Department of Transportation

STATUTORY AUTHORITY: s. 85.16(1), Stats.

STATUTE INTERPRETED: s. 84.17(3), Stats.

General Summary of Rule. Under s. 84.17(3), Stats., the Department of Transportation has been directed to establish standards for a continuing highway bridge inspection program. An initial rule was adopted in 1982 and this rule needs revision to reflect changes in the organization of the Department of Transportation and in standards for bridge inspection which have occurred since its promulgation. In addition, the Department's experience with the program demonstrated a need to require municipalities to more promptly report significant changes in bridge conditions so that remedial action could be undertaken on deficient bridges in a more timely manner.

Related statutes and rules include s. 84.18, Stats., which establishes a program to accelerate the reconstruction or rehabilitation of seriously deteriorating local bridges identified by the inventory of bridges required under s. 84.17, Stats. Chapter Trans 213 is the related rule which implements the reconstruction and rehabilitation program. In addition, some deteriorated bridges may be eligible for state aid in reconstruction under s. 84.11, Stats. Chapter Trans 215 is the rule which establishes criteria for determining eligibility under this program for replacing or constructing local high cost bridges.

The first section of the rule amends references to the Division of Highways to reflect a formal change in the title of that division and changes the definition of the "AASHTO" manual and the bridge inspectors training manual to reflect the fact that more recent editions have been published. The Attorney General and the Revisor of Statutes have consented to the incorporation by reference of these editions of the manuals under the provisions of s. 227.21, Stats. The second section of the rule requires that when municipalities complete a required bridge inspection, they must rerate the bridge within seven (7) calendar days if there has been a significant change in the condition of a bridge which affects its rating. If an inspection or rerating results in a recommendation for posting, a change in posting or the closing of a bridge, this must be reported to the Department of Transportation within seven (7) calendar days of the inspection or rerating. The third section of the rule requires Department staff performing inspection of bridges on state trunk highways to submit inspection reports annually, rather than every two years.

Fiscal Estimate. The amendments of Chapter Trans 212 will have no effect on the fiscal liabilities or revenues of any county, city, village, town, school district, vocational, technical and adult education district, or sewerage district. The amendments will have no fiscal effect on state

revenues or liabilities. This estimate is based on the fact that the amendments merely affect the timing of certain reporting activities already required by the rule.

Final Regulatory Flexibility Analysis. The amendments to Chapter Trans 212 will have no effect on any small businesses as the rule applies only to municipalities and the state while performing the governmental function of highway bridge inspection.

Copies of Rule and Contact Person. The persons to contact for further information are Gerald Krumdick (608) 266-3948 or Bruce Karow (608) 266-3722.

TEXT OF RULE

Under the authority vested in the Wisconsin department of transportation, by s. 85.16(1), Stats., the department of transportation hereby amends a rule implementing s. 84.17(3) Stats., as follows:

SECTION 1. Section Trans 212.02(1) and (8) are amended to read:

Trans 212.02(1) "AASHTO manual" means the *Manual for Maintenance Inspection of Bridges 1978 1983*, ~~3rd edition 1979~~ as revised by the Interim Specifications-Bridges, 1984-1990, published by the American association of state highway and transportation officials, 444 North Capitol Street, N.W., Washington, D.C. 20001. 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.

(8) "Bridge inspector's training manual" means the *Bridge Inspector's Training Manual 70, 1979 90, 1991*, published by the federal highway administration and available from the superintendent of documents, U.S. government printing office, Washington, D.C. 20402. 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.

SECTION 2. Section Trans 212.09 is amended to read:

Trans 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 within 7 calendar days of the inspection. When the inspection or rerating results in a recommendation for posting, change in posting, or closure of the bridge, the department shall be notified within 7 calendar days of the inspection or rerating. Ratings shall be determined in accordance with the AASHTO manual.

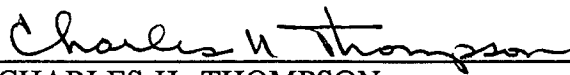
SECTION 3. Section Trans 212.11(1) is amended to read:

Trans 212.11(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.

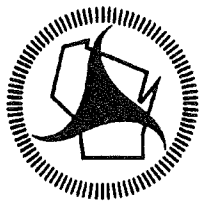
(END OF RULE TEXT)

Effective Date. 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)(intro.), Stats.

Signed at Madison, Wisconsin, this 26 day of May, 1992.



CHARLES H. THOMPSON
Secretary
Wisconsin Department of Transportation



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

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

May 26, 1992

RECEIVED

MAY 26 1992

Revisor of Statutes
Bureau

Mr. Gary Poulson
Assistant Revisor of Statutes
119 Martin Luther King, Jr. Blvd.
2nd Floor
Madison, Wisconsin 53703

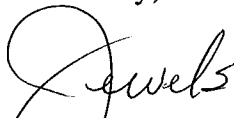
RE: CLEARINGHOUSE RULE 92-7

In the Matter of the Adoption of **TRANS 212**, Wisconsin Administrative Code, relating to **standards for the inspection of bridges in Wisconsin**.

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 92-7**, an administrative rule relating to the above-mentioned matter. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,


Julie A. Johnson
Paralegal

Enclosures

cc: Tom Walker
Dorothy Kapke
Jim McDonnell
Fred Ross
Bruce Karow
Doug Duckert