

CR 94-22

CERTIFICATE

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

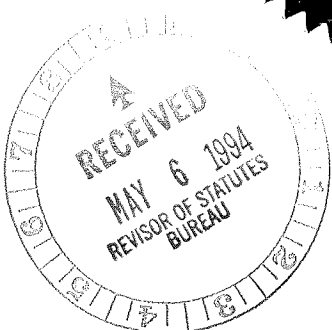
I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **motor carrier safety requirements for intrastate transportation of hazardous materials**, was duly approved and adopted by this Department on May 4, 1994.

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 4 day of May, 1994.

Charles H. Thompson

CHARLES H. THOMPSON
Secretary



7-1-94

IN THE MATTER OF an Order Adopting Rule AMENDING Trans 328.03(intro.) and CREATING Trans 328.03(5), Wisconsin Administrative Code, relating to motor carrier safety requirements for intrastate transportation of hazardous materials.

ORDER ADOPTING RULE**Analysis Prepared by the Wisconsin Department of Transportation**

STATUTORY AUTHORITY: ss. 227.11 and 346.45(4), Stats.

STATUTES INTERPRETED: ss. 110.07, 110.075, 194.38 and 194.43, Stats.

General Summary of Rule. Chapter Trans 328 adopted motor carrier safety requirements for intrastate transportation of hazardous materials of the United States Department of Transportation in effect on November 1, 1991. This amendment changes the date from November 1, 1991 to November 1, 1993. This change allows Wisconsin to enforce the most recent version of the motor carrier safety requirements for intrastate transportation of hazardous materials. All vehicles operating in interstate commerce are already subject under federal law to any changes that have been adopted between November 1, 1991 and November 1, 1993.

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

Final Regulatory Flexibility Analysis. This rule amendment will not have any significant adverse effect on small businesses.

Preparation. 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.

TEXT OF RULE

Under the authority vested in the state of Wisconsin, department of transportation, by ss. 227.11 and 346.45(4), Stats., the department of transportation hereby amends a rule interpreting ss. 110.07, 110.075, 194.38 and 194.43, Stats., relating to motor carrier safety requirements for intrastate transportation of hazardous materials.

SECTION 1. Trans 328.03(intro.) is amended to read:

TRANS 328.03 FEDERAL REGULATION ADOPTED. The following federal motor carrier safety regulations adopted by the United States department of transportation and in effect on November 1, ~~1991~~ 1993, are adopted by the department and shall be enforced in relation to those carriers, drivers or vehicles which operate in intrastate commerce in the same manner as though the regulations were set out in full in this ~~section~~ chapter:

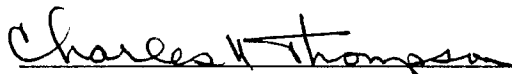
SECTION 2. Trans 328.03(5) is created to read:

Trans 328.03(5) Title 49, Code of Federal Regulations, part 180, continuing qualification and maintenance of packagings.

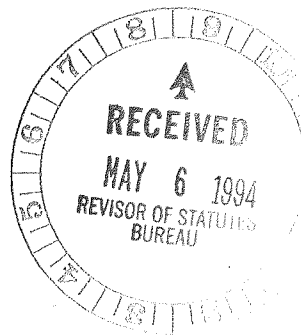
(END OF RULE TEXT)

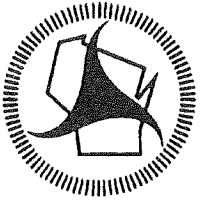
Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 4 day of May, 1994.



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 5, 1994

Mr. Gary Poulson
Deputy Revisor of Statutes
131 West Wilson Street, Suite 800
Madison, Wisconsin 53703

RE: **CLEARINGHOUSE RULE 94-22**

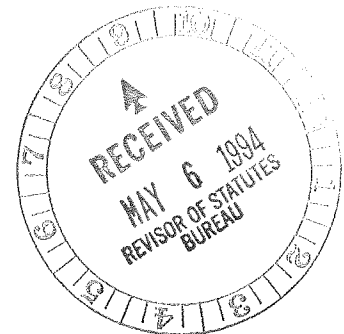
In the Matter of the Adoption of **TRANS 328**, Wisconsin Administrative Code, relating to **motor carrier safety requirements for intrastate transportation of hazardous materials**.

Dear *Mr. Poulson* Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 94-22**, an administrative rule relating to the above-mentioned matter. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,

Julie A. Johnson
Julie A. Johnson
Paralegal



Enclosures

cc: Tom Walker
Dorothy Kapke
Jim McDonnell
Bill Singletary
Lyle Walheim