



## 2005 ASSEMBLY BILL 169

March 3, 2005 – Introduced by Representatives VAN ROY, KRAWCZYK, GARD, PETTIS, GRONEMUS, NELSON, PETROWSKI, MONTGOMERY, HAHN, BALLWEG, MCCORMICK, OWENS, GUNDERSON, ALBERS, F. LASEE and TOWNSEND, cosponsored by Senators COWLES, A. LASEE, HANSEN, REYNOLDS and GROTHMAN. Referred to Committee on Highway Safety.

1     **AN ACT to amend** 194.32 and 348.06 (1); and **to create** 348.01 (2) (at) and 348.06  
2           (2m) of the statutes; **relating to:** operation of double-decked buses on  
3           highways.

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### *Analysis by the Legislative Reference Bureau*

Current law prohibits the operation on public highways of interurban motor buses that are double-decked. “Double-decked” means that passengers are carried on an upper level throughout the length of the bus over passengers on a lower level throughout the length of the bus.

This bill limits the complete prohibition on operation of double-decked motor buses to those of an open-roof design.

Current law also imposes size, weight, and load limits on vehicles that travel on the highways. DOT and local authorities may issue certain permits authorizing the permittee to operate a vehicle that exceeds these limits on vehicle size, weight, or load. No person, without a permit, may operate on a highway any motor vehicle having an overall height in excess of 13 feet 6 inches.

This bill creates an exception to the general vehicle height limitation if certain conditions are satisfied. Under the bill, double-decked buses with a closed-roof design having an overall height not exceeding 14 feet 5 inches may be operated without a permit for excessive height upon a highway that has a speed limit of 45 miles per hour or less if the vehicle operator has coordinated with the agency or officer in charge of maintenance of the highway on any highway of the vehicle’s proposed route to ensure that there is adequate height clearance for the vehicle on

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all parts of the proposed route. The owner of any double-decked bus exceeding the general height limit of 13 feet 6 inches is liable to the maintaining authority for any damage to any highway or overhead structure or device above the highway caused by the height of the double-decked bus, regardless of whether the double-decked bus is operated in compliance with the overheight exception for closed-roof double-decked buses.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 194.32 of the statutes is amended to read:

2           **194.32 Buses, restrictions.** No common motor carrier of passengers shall  
3 operate any passenger-carrying bus over any public highway of this state with any  
4 trailer or semitrailer attached except for an articulated bus as defined in s. 340.01  
5 (2m). Except for an articulated bus as defined in s. 340.01 (2m) which may be 65 feet  
6 in length, no interurban motor bus which exceeds 40 feet in length or 8 feet 6 inches  
7 in width or is of a double-decked open-roof design shall be operated upon the public  
8 highways under the authority of this chapter. As used in this section an interurban  
9 motor bus is deemed to be of a “double-decked open-roof design” when passengers  
10 are carried therein on an upper level throughout the length of the bus over  
11 passengers on a lower level throughout the length of the bus and the bus roof does  
12 not extend throughout the length of the bus.

13           **SECTION 2.** 348.01 (2) (at) of the statutes is created to read:

14           348.01 (2) (at) “Double-decked bus” means a motor bus designed to carry  
15 passengers on an upper level throughout the length of the bus over passengers on a  
16 lower level throughout the length of the bus and the roof of which extends throughout  
17 the length of the bus.

18           **SECTION 3.** 348.06 (1) of the statutes is amended to read:

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1           348.06 (1) Except as provided in ~~sub. subs.~~ (2) and (2m), no person, without a  
2           permit therefor, may operate on a highway any motor vehicle, mobile home, trailer,  
3           or semitrailer having an overall height in excess of 13 1/2 feet.

4           **SECTION 4.** 348.06 (2m) of the statutes is created to read:

5           348.06 (2m) Double-decked buses having an overall height not exceeding 14  
6           feet 5 inches may be operated without a permit for excessive height upon a highway  
7           that has a speed limit of 45 miles per hour or less if the vehicle operator has  
8           coordinated with the agency or officer in charge of maintenance of the highway on  
9           any highway of the vehicle's proposed route to ensure that there is adequate height  
10          clearance for the vehicle on all parts of the proposed route. The owner of any  
11          double-decked bus exceeding the height specified in sub. (1) is liable to the  
12          maintaining authority for any damage to any highway or overhead structure or  
13          device above the highway caused by the height of the double-decked bus, regardless  
14          of whether the double-decked bus is operated in compliance with this subsection.

15          **SECTION 5. Initial applicability.**

16          (1) This act first applies to motor vehicles operated on the effective date of this  
17          subsection.

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(END)