



Wisconsin Troopers' Association

Casey Perry – Executive Director

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To: Representative Mark Gottlieb, Chair; and Members
Special Committee on Highway Weight Limits

Fr: Casey Perry, Executive Director
Wisconsin Troopers' Association

Da: September 22, 2006

Re: The future of Wisconsin's highways

Thank you, Chairman Gottlieb and members, for the opportunity to appear before you today to discuss the important and complicated issue of highway weight limits. The debate and decisions made before this committee will ultimately affect our ability to effectively enforce the law, ensure citizen safety, and monitor highway operations and road conditions. For this reason, I want to provide perspective from those of us in law enforcement who work the highways each day.

As a representative of the Wisconsin Troopers' Association, I am here today representing our members, including rank and file officers and supervisors. I have been a state trooper for more than 27 years and patrol several counties in northeastern Wisconsin.

I am not here today seeking an appeal of Act 167; instead we want to assist in its implementation including a level playing field for industry. The biggest single concern of the increase in weight limits is the risks associated with a lack of adequate enforcement.

PAPER ENFORCEMENT

Although the law allows for increased fines and the ability of law enforcement agencies to access weight slips for at least 30 days after each delivery, we are unable to issue tickets based on these weight slips.

The DOT fiscal estimate regarding Act 167 states "It is assumed this mechanism will have no significant deterrent effect on those operators choosing to operate in excess of legal or permitted weight limitations. The lack of an effective method of improving compliance is assumed to increase the existing concern over substantial damages caused by operators ignoring the weight limits in order to gain financially since the relatively small risk of being penalized for operating over weight. It is further assumed that the increased weight allowance and the additional axle will encourage both heavier and perhaps more illegal loads.

UNADDRESSED CONCERNS

A number of unaddressed concerns have been raised throughout this debate that the WTA feels are important to the future of Wisconsin's infrastructure and the lumber industry. We are hoping this committee will address the following concerns and that we can work together in finding solutions:



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- **Substantial Enforcement Mechanism:** The changes to the law are substantial enough to help a Wisconsin industry, but we also need to avoid encouraging heavier and more illegal loads. Paper enforcement is the means that will help us do our job. Increases in penalties are meaningless without addressing enforcement. If we are able to issue tickets based on the collected weight slips, we will help deter illegal truck weights.
- **Demands on Local Law Enforcement:** Local police officers and sheriff's deputies often lack time and adequate training to enforce truck regulations. We believe the members of the industry that are obeying the rules will be complaining to us to enforce the ones that are not. They will be forced to respond to truck examinations, a one hour minimum per truck, or have to call upon the State Patrol for assistance. This law will force these trucks at 98,000 to municipal jurisdictions. Local officers will be taken away from their primary duties.
- **Definition of Intermediary Lumber:** No statutory definition is provided for the term "intermediary lumber" which, according to the DOT Fiscal Estimate, is assumed will be a significant increase in the number of loads transported in excess of the weight limits.
- **Compliance with Federal Bridge Formula:** While Act 167 increases the number of axles for vehicles operating under this weight increase, the axle spacing does not meet the requirements of the federal formula used to determine whether the load is effectively spread over the axles used.
- **The Bottom Line:** We need paper enforcement. Almost all of our fixed weight stations are along the interstate, where Act 167 does not apply. Of those 27 officers assigned to portable scales statewide, some are assigned to the bypass routes on the interstate system. That leaves a dozen and a half officers to enforce Act 167 throughout the entire state. With position cuts over the last few years, State Troopers no longer assist in enforcement of motor carrier safety inspections. We are not permitted to look at log books without proper training; therefore, our troopers' resources have been dedicated to other areas of enforcement.

While the WTA certainly supports the lumber industry, we want to make these laws work for all law enforcement agencies, units of government and the citizens of Wisconsin. Enforcement has to be fair, but in a high enough concentration that encourages voluntary compliance by the industry.

Tackling these issues will also help address our number one concern – ensuring highway safety for all those who travel Wisconsin's roadways. Thank you again for your time, and I look forward to working with you.