



2015 ASSEMBLY BILL 122

March 27, 2015 - Introduced by Representatives CZAJA, JARCHOW, BALLWEG, BERNIER, BORN, E. BROOKS, DANOU, EDMING, GENRICH, HUTTON, JACQUE, KAHL, KATSMAN, KITCHENS, KULP, T. LARSON, MEYERS, MURPHY, MURSAU, NYGREN, A. OTT, PETERSEN, PETRYK, RIPP, SHANKLAND, SPIROS, STEFFEN, SWEARINGEN, VORPAGEL and ZEPNICK, cosponsored by Senators PETROWSKI, COWLES, GUDEX, HANSEN, LASSA, LEMAHIEU, MARKLEIN, OLSEN, ROTH and TIFFANY. Referred to Committee on Transportation.

1 **AN ACT** *to renumber* 348.16 (3); *to renumber and amend* 349.16 (3); and *to*
2 *create* 348.16 (3) (b) and 349.16 (3) (c) of the statutes; **relating to:** exempting
3 certain vehicles of utilities from class B highway weight limitations and certain
4 special or seasonal weight limitations.

Analysis by the Legislative Reference Bureau

Under current law, local highway authorities may impose special or seasonal weight limitations on highways which, because of deterioration or climatic conditions, would likely be seriously damaged or destroyed if limitations were not imposed. For vehicles carrying certain commodities or being used to perform certain services, local highway authorities may set different weight limitations or exempt the vehicles from the special or seasonal weight limitations if an exemption or limitation is in the interest of public health, safety and welfare.

Also under current law, local authorities may designate highways under their jurisdiction as class "B" highways. With limited exceptions, the maximum gross weight and per-axle vehicle weight for vehicles on a class "B" highway is 60 percent of the weight allowed by statute if the vehicle were operating on a highway that is not designated as a class "B" highway.

This bill provides that special or seasonal weight limitations imposed by a highway authority and class "B" highway weight limitations do not apply to vehicles of public utilities, telecommunications providers, or certain cooperative associations, when the vehicles are being operated for the purpose of responding to service interruptions.

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Under current law, if any bill introduced in either house of the legislature directly or indirectly establishes an exception to vehicle weight limitations, the Department of Transportation (DOT) must prepare a report, containing specified information, relating to the bill within six weeks after the bill is introduced and before any vote is taken on the bill. This bill directs DOT not to prepare such a report on this bill.

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

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

1 **SECTION 1.** 348.16 (3) of the statutes is renumbered 348.16 (3) (a).

2 **SECTION 2.** 348.16 (3) (b) of the statutes is created to read:

3 348.16 (3) (b) Subsection (2) does not apply to a vehicle of a public utility, as
4 defined in s. 196.01 (5), a telecommunications provider, as defined in s. 196.01 (8p),
5 or a cooperative association organized under ch. 185 for the purpose of producing or
6 furnishing heat, light, power, or water to its members, that is being operated for the
7 purpose of responding to a service interruption.

8 **SECTION 3.** 349.16 (3) of the statutes is renumbered 349.16 (3) (a) and amended
9 to read:

10 349.16 (3) (a) The authority in charge of the maintenance of the highway may
11 exempt vehicles carrying certain commodities specified by the authority or which are
12 used to perform certain services specified by the authority from the special weight
13 limitations which are imposed under sub. (1) (a), or may set different weight
14 limitations than those imposed under sub. (1) (a) for vehicles carrying those
15 commodities or which are used to perform those services, if ~~such~~ the exemption or
16 limitation is reasonable and necessary to promote the public health, safety, and
17 welfare.

