

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/21/2001

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: Spencer Black (608) 266-7521

By/Representing: susan McMurray

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Addl. Drafters:

Subject: Transportation - motor vehicles

Extra Copies: TNF, ARG

Submit via email: NO

Requester's email:

Pre Topic:

No specific pre topic given

Topic:

Requiring mud guards

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 06/26/2001	jdye 06/27/2001	pgreensl 06/28/2001	_____	lrb docadmin 06/28/2001	lrb docadmin 06/28/2001	

FE Sent For:

<END>

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/1	phurley	1 ⁶ / ₂₇ JLD	PS	PS	PS / Ben T		
<END>							

FE Sent For:

Assembly Democrat Budget Amendment Requests

Request Number: 53
(not LRB number)

Agency: DOT

Description: Mud guards required

Attachments: AB 78

Cost (if known): NA

Contact person: Susan McMurray, 266-7521, Representative Black's Office

6-21-01: T/c to Susan McMurray - all of AB 78 or
just mudguard provisions?
All of AB 78. PJH

2001

Date (time) needed soon

LRB b 190911

**ADC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

PJH : JLd :

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 1130, line 24.: after that line, insert:

Insert 1130.24 ✓

#. Page 1425, line 13.: after that line, insert:

Insert 1425.13

(END)

#. Page, line

#. Page, line

#. Page, line

#. Page, line

ASSEMBLY BILL 78

dropping, sifting, leaking, or otherwise escaping from the vehicle. A forfeiture of not less than \$10 nor more than \$200 may be imposed for violating this provision.

This bill specifies that a load of bulk material, such as sand, gravel, or dirt, that is not in containers, must be covered while being transported on a highway to prevent the load from dropping or sifting from the vehicle. Failure to comply with this provision also may result in a forfeiture of not less than \$10 nor more than \$200.

The bill specifies that both of these provisions do not apply to bulk material being applied to a highway for highway construction or maintenance.

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:

Insert 1130.24

1 **SECTION 1** 347.46 (2) (intro.) of the statutes is amended to read:

2 **3445p** 347.46 (2) (intro.) No person shall may operate on a highway in ~~intercity~~
3 ~~movement any privately owned any motor truck or privately owned, road tractor,~~
4 ~~trailer, farm trailer, semitrailer drawn by a, or truck tractor, except those motor farm~~
5 ~~trucks and semitrailers equipped with dump bodies, unless such motor truck or~~
6 ~~semitrailer the vehicle~~ is equipped with rear fenders or mudguards of such material
7 and so constructed and placed as to restrict to a minimum the splashing of water,
8 mud, or other material which may be thrown by the rear wheels. ~~Such~~ The rear
9 fenders or mudguards shall meet all of the following minimum specifications:

10 **3445q** **SECTION 2** 347.46 (2) (a) of the statutes is amended to read:

11 347.46 (2) (a) The fenders or mudguards shall cover the tire or multiple tires
12 they are protecting starting at the top from a line drawn vertically through the center
13 of the axle and extending rearward and downward so that the fender or mudguard
14 under any condition of operation or loading of the vchicle has a ground clearance of
15 not more than ~~one third~~ one-fifth of the horizontal distance from the center of the
16 rearmost axle to the fender or mudguard;

17 **3445s** **SECTION 3** 347.46 (2) (b) of the statutes is amended to read:



INSERT
1130.24 cont

1 347.46 (2) (b) The fenders or mudguards shall be at least as wide as the tire or
2 multiple tires they are protecting;

34450

3 SECTION 4 347.46 (2) (d) of the statutes is created to read:

4 347.46 (2) (d) Notwithstanding any other requirement of this subsection, a
5 motor truck or semitrailer equipped with a dump body that dumps through the floor
6 of the cargo body and that is transporting sand, gravel, dirt, rock, or similar material
7 shall be equipped with mudguards that are mounted to the rear of the axles, cover
8 the entire width of the vehicle, and have a ground clearance of not more than 6 inches
9 when the vehicle is loaded.

34450

10 SECTION 5 348.10 (2) of the statutes is renumbered 348.10 (2) (a) and amended
11 to read:

12 348.10 (2) (a) No person shall may operate a vehicle on a highway unless such
13 vehicle is so constructed and loaded as to prevent its contents from dropping, sifting,
14 leaking, or otherwise escaping therefrom.

34451

15 SECTION 6 348.10 (2) (b) and (c) of the statutes are created to read:

16 348.10 (2) (b) Notwithstanding par. (a), no person may operate on a highway
17 a vehicle loaded with bulk material, such as sand, gravel, or dirt, that is not in
18 containers unless the vehicle is so loaded and covered as to prevent the load from
19 dropping or sifting from the vehicle.

20 (c) This subsection does not apply to the application of a bulk material to a
21 highway for the purpose of maintenance or construction of the highway." (end ins)

Insert 22
1425.13

SECTION 7. Effective date.

23 (1) This act takes effect on the first day of the 4th month beginning after
24 publication. "

25 eff date " (4) MODGUARDS; TRANSPORTING BULK MATERIALS. The treatment of sections
347.46 (2) (intro), (a), (b), and (d) of the statutes, the renumbering and
amendment of section 348.10 (2) of the statutes, and the creation of
section 348.10 (2) (b) and (c) of the statutes
(end ins 1425.13)