

CR 82-82

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SEP 28 1982
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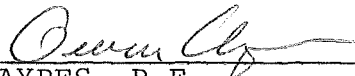
STATE OF WISCONSIN)
)
DEPARTMENT OF TRANSPORTATION)

TO ALL TO WHOM THESE PRESENTS COME, GREETINGS:

I, Owen Ayres, Secretary of the Department of Transportation and custodian of the official records of the Department, do hereby certify that the annexed rules relating to slow moving vehicle emblems were duly approved and adopted by this Department on September 27, 1982.

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 at the Hill Farms State Office Building in the City of Madison, this 27 day of September, 1982.


OWEN AYRES, P.E.
Secretary
Wisconsin Department of
Transportation

12-1-82

IN THE MATTER OF THE PROPOSED	:	
RENUMBERING OF CH. MVD 22,	:	
WIS. ADMIN. CODE, TO BECOME	:	ORDER
CH. TRANS 304, WIS. ADMIN.	:	ADOPTING
CODE, AND THE PROPOSED AMEND-	:	RULES
MENT, REPEAL AND CREATION OF	:	
ADMINISTRATIVE RULES RELATING	:	
TO SLOW MOVING VEHICLE	:	
EMBLEMS	:	

Analysis Prepared by the Department of Transportation

General summary of rule. This rule repeals, amends, and adopts certain rule provisions of current rule MVD 22. Additionally, MVD 22 is renumbered TRANS 304. The renumbering is being done as part of a general renumbering of the Department of Transportation's administrative rules and is being coordinated with the Legislative Council staff and the Revisor of Statutes in accordance with s. 227.024(1)(e), Stats.

Section 347.245(2), Stats., provides in part: "The standards and specifications for SMV (slow moving vehicles) emblems shall correlate with and, so far as possible, conform with those approved by the American Society of Agricultural Engineers." The American Society of Agricultural Engineers (ASAE) is the organization responsible for the content of the standard. Other standard setting organizations such as the Society of Automotive Engineers merely utilize the standard developed by ASAE. The reference of the rule to ASAE will provide for the latest standard available to be used as the standard for the marketing and use of SMV emblems in Wisconsin.

The adoption of TRANS 304 will repeal the previous rule, MVD 22, relating to the standards for SMV emblems.

Authority for rule. Section 347.245(2), Stats., specifically directs the secretary (DOT) to promulgate rules for the standards and specifications for the SMV emblem.

Fiscal estimate. The present MVD 22 and TRANS 304 relate to specifications and standards for the SMV emblem. Utilization of the current ASAE standard may require some upgrading of SMV emblems which may not meet the standard. There is no way for the department to estimate the percentage or number of SMV emblems which may not meet the requirements of this rule.

Forms. No specific forms are required for implementation of TRANS 304.

This analysis has been prepared by Carl Zutz, Division of State Patrol, Wisconsin Department of Transportation, Madison, Wisconsin 53707 (608) 266-3216.

Pursuant to authority vested in the Department of Transportation by ss. 110.06 and 347.245, Stats., the Department of Transportation hereby repeals, renumbers, renumbers and amends, and creates rules interpreting s. 347.245, Wis. Stats., as follows:

SECTION 1. MVD 22.01 of the Wisconsin Administrative Code is renumbered TRANS 304 and, as renumbered, is amended to read:

TRANS 304.01 PURPOSE AND SCOPE. ~~(1)~~ The purpose of this standard is to establish specifications which define an identification emblem for use on slow-moving vehicles when operated on the highway. This standard establishes emblem dimensional specifications, performance requirements, and related test procedures.

SECTION 2. MVD 22.02 through MVD 22.04 of the Wisconsin Administrative Code are repealed.

SECTION 3. MVD 22.05(1) of the Wisconsin Administrative Code is renumbered TRANS 304.02(1) and, as renumbered, is amended to read:

TRANS 304.02 MOUNTING. (1) The emblem shall be mounted point up ~~(see-fig.-1)~~ in a plane perpendicular to the direction of travel plus or minus 10 degrees. It shall be placed centrally at the rear of the vehicle securely mounted, unobscured, and 2 to 6 feet above the ground, measured from the lower edge of the emblem. It may be permanently attached to equipment when practical.

SECTION 4. MVD 22.06(2) of the Wisconsin Administrative Code is renumbered TRANS 304.02(2).

SECTION 5. TRANS 304.03 of the Wisconsin Administrative Code is created to read:

TRANS 304.03 AUTHORITY. Pursuant to the authority granted in ss. 110.06(1) and 347.245, Stats., the secretary of the department of transportation promulgates this chapter which sets standards and specifications relating to the slow moving vehicle emblem.

SECTION 6. TRANS 304.04 of the Wisconsin Administrative Code is created to read:

TRANS 304.04 STANDARDS AND SPECIFICATIONS. The slow moving vehicle emblem utilized in the state of Wisconsin shall comply with the American Society of Agricultural Engineers' standard ASAE S276.3. This standard is available for copying in the offices of the department of transportation, the secretary of state and the revisor of statutes. This standard may also be purchased from the American Society of Agricultural Engineers, Box 410, 2950 Niles Road, St. Joseph, Michigan 49085.

(End)

This rule shall take effect upon the first day of the month following publication as provided in s. 227.026(1)(intro.), Stats.

Dated at Madison, Wisconsin, this
27 day of September, 1982.



OWEN AYRES, P.E.
Secretary
Wisconsin Department of
Transportation



State of Wisconsin \

DEPARTMENT OF TRANSPORTATION



PLEASE REPLY TO:

OFFICE OF GENERAL COUNSEL

4802 Sheboygan Avenue

P. O. Box 7910

Madison, WI 53707

Telephone: (608) 266-8810

September 22, 1982

OGC 82-122

Mr. Orlan L. Prestegard
Revisor of Statutes
Room 411 West, State Capitol
Madison, WI 53702

RECEIVED

SEP 28 1982

Revisor of Statutes
Bureau

Re: Clearinghouse Rule 82-82

Dear Mr. Prestegard:

Enclosed for filing, pursuant to sec. 227.023, Wis. Stats., please find a certified copy of CR 82-82, an administrative rule relating to slow moving vehicle emblems. An additional copy of CR 82-82, not certified, is enclosed to be used for a printer's copy. This rule is submitted by the Wisconsin Department of Transportation.

Also enclosed for filing pursuant to sec. 227.025, Wis. Stats., please find a copy of the standards incorporated by reference in sec. TRANS 304.04, Wis. Admin. Code. Also enclosed is a copy of the letter communicating permission for the incorporation of the standards. That approval was granted by the Revisor of Statutes and the Attorney General's Office.

Sincerely,

Philip Peterson
Deputy General Counsel

PPP:hml

Enclosures

cc: William Harvey
Michael Moschkau
Carl Zutz