



## 2009 ASSEMBLY BILL 455

September 30, 2009 – Introduced by Representatives STEINBRINK, TURNER, SOLETSKI and A. OTT, cosponsored by Senators HOLPERIN and TAYLOR. Referred to Committee on Transportation.

1     **AN ACT** *to amend* 348.15 (5) (intro.) of the statutes; **relating to:** the testing of  
2     portable scales used for the enforcement of vehicle weight limitations.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the enforcement of vehicle weight limitations requires weighing of the vehicles and loads on either a portable scale or a certified stationary scale. If a portable scale is used in any weighing operation, the portable scale must be in good working order and tested in comparison to a certified stationary scale within the previous 90 days by the Department of Agriculture, Trade and Consumer Protection.

This bill requires that the portable scale be tested within 180 days, instead of 90 days, immediately prior to its use in any weighing operation.

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:*

3     **SECTION 1.** 348.15 (5) (intro.) of the statutes is amended to read:  
4     348.15 **(5)** (intro.) For enforcement of weight limitations specified by this  
5     chapter the gross weight, measured in pounds, imposed on the highway by any wheel

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1 or any one axle or by any group of 2 or more axles shall be determined by weighing  
2 the vehicles and load, either by single draft or multiple draft weighing on certified  
3 stationary scales or on portable scales in good working order which are tested in  
4 comparison to certified stationary scales within ~~90~~ 180 days immediately prior to any  
5 weighing operation by the department of agriculture, trade and consumer protection  
6 or other authorized testing agencies for accuracy to within standard accepted  
7 tolerances. The weighing operation shall be performed in accordance with and under  
8 conditions accepted as good weighing technique and practice. In multiple draft  
9 weighing the sum of the weight of respective components shall be used to establish  
10 the weight of a combination of the components. It is recognized that the weight,  
11 determined in accordance with methods prescribed in this chapter, includes all  
12 statutory weights and represents the momentary load force or reaction imposed on  
13 the scale at the time of weighing. Such weights include any variation due to the  
14 following factors:

**SECTION 2. Initial applicability.**

15  
16 (1) This act first applies to offenses committed on the effective date of this  
17 subsection, but does not preclude the counting of other convictions as prior  
18 convictions for purposes of imposing a penalty.

19 (END)