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Assembly Bills 424, 425, and 426

October 28, 2015

Good afternoon Transportation members, and thank you for allowing me to testify on three bills brought to us by the Wisconsin Department of Transportation: AB 424, 425, and 426.

The first bill, AB 424, concerns motor carrier regulations for *intrastate* commerce. Current law includes certain regulation of motor carriers engaged in *interstate* commerce. With limited exceptions, a “for-hire” motor carrier (vehicle transport of passengers or property for hire on the highway) engaged in interstate commerce is required to obtain a certificate of operating authority or license and to comply with certain insurance requirements.

This bill extends the existing regulations that apply to for-hire motor carriers operating in *interstate* commerce to motor carriers also engaged in *intrastate* commerce. Specifically, the bill provides that the certificates and licenses required to operate as an interstate carrier are also required for intrastate carriers.

The bill allows the State Patrol to conduct motor carrier enforcement of intrastate motor carriers using the same set of procedures and standards currently used for interstate carriers and intrastate carriers involved with hazardous materials transportation, both of which are governed by federal rules. This change will enable the reasonable and effective enforcement of traffic safety on Wisconsin roadways, which creates a safer environment for the entire traveling public.

The second bill, AB 425, concerns lawful turns at a red signal. This bill expands on what lawful turns vehicles are allowed to make when facing a red signal at an intersection. Despite having a better view of oncoming traffic, current law prohibits vehicles in the leftmost right-turn lane to turn right on a red signal.

This bill modifies existing law to allow vehicles to make this right turn by enabling the vehicle to cross lanes of moving traffic. No turn may be made on a red signal if a sign at the intersection prohibits the turn on a red signal, as under current law. The bill will provide the opportunity for more efficient traffic movement and increased mobility for the traveling public.

Finally, the third bill, AB 426, concerns the transport of radiological materials. As of January 1, 2005, all vehicles and carriers transporting highway route controlled quantities of radioactive material are regulated by the U.S. Department of Transportation and required to pass the North American Standard Level VI Inspection. The Wisconsin State Patrol conducts this inspection and measures the packaged radioactive material to ensure safe transportation prior to departure.

Wisconsin State Patrol, in addition to Wisconsin Emergency Management, has participated in the escort of radiological waste from Wisconsin, while working with the U.S. Nuclear Regulatory Commission and approved transporters. In general, State Patrol escorts the units without emergency lighting activated and in compliance with traffic laws to ensure proper routing and re-routing while in transit. Depending on the radioactivity, some shipments may also be accompanied by U.S. Department of Energy armed security.

This bill codifies current practice and creates a permit by which highway route controlled quantities of radioactive material may be transported in this state. The permit may be for single or multiple trips, and will require a designated route and an escort by the State Patrol.

Thank you again for your time today and I would be happy to answer any questions you may have.



Wisconsin Department of Transportation

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DATE: October 28, 2015

TO: Members, Assembly Committee on Transportation
The Honorable Keith Ripp, Chair

FROM: Tom Rhatican, Assistant Deputy Secretary
Wisconsin Department of Transportation

SUBJECT: Assembly Bill 424 (uniform enforcement of interstate and intrastate motor carriers)

Chairman Ripp and Committee Members:

Thank you for giving me the opportunity to testify in support of Wisconsin Assembly Bill 424 (AB 424). AB 424 applies certain provisions governing *interstate* motor carriers to motor carriers engaged in *intrastate* commerce.

Current law provides the Wisconsin Department of Transportation (WisDOT) with the authority to promulgate rules regulating the safety of interstate motor carrier operations, including rules implementing federal motor carrier safety standards. WisDOT's Division of State Patrol (DSP) enforces state traffic, criminal, and motor carrier laws; assists motorists in need; inspects certain vehicles for safety; and manages federal grants for highway safety programs.

With limited exceptions, a "for-hire" motor carrier (vehicle transport of passengers or property for hire on the highway) engaged in interstate commerce is required to obtain a certificate of operating authority or license and to comply with certain insurance requirements. AB 424 simply extends the existing regulations that apply to for-hire motor carriers operating in *interstate* commerce to motor carriers also engaged in *intrastate* commerce. Specifically, the bill provides that the certificates and licenses required to operate as an interstate carrier are also required for intrastate carriers.

The bill allows the Wisconsin State Patrol to conduct motor carrier enforcement of intrastate motor carriers using the same set of procedures and standards currently in place for interstate and intrastate carriers involved with hazardous materials transportation, both of which are governed by federal rules. This bill will enable the reasonable and effective enforcement of traffic safety on Wisconsin roadways – creating a safer environment for the entire traveling public.

If you have any questions, please contact me or Nate Yahn, WisDOT legislative advisor, at (608) 266-1114.