

BOB KULP

STATE REPRESENTATIVE • 69TH ASSEMBLY DISTRICT

Assembly Bill 781

February 25, 2014

Mr. Chairman and members of the Assembly Committee on Transportation, thank you for the opportunity to speak to you on Assembly Bill 781. I apologize for not being able to be present today.

You all are aware of the propane shortage this winter, and how the escalating prices are impacting not just residential customers, but also the propane dealers who are trying to deliver the propane to those customers. This bill was drafted with assistance from the Wisconsin Propane Gas Association in order to help propane dealers deliver get as much product as efficiently and quickly as possible to their customers in many rural parts of the state.

Under current law, the Department of Transportation (DOT) or a local highway authority may impose special weight limits on highways that could be damaged or destroyed in the absence of special limits. These highways are then posted with highway signs and the special weight limits apply regardless of whether a vehicle is being operated under an overweight permit, unless the permit expressly authorizes the special weight limits to be exceeded.

Also under current law, the governor may declare an energy emergency when there is a disruption of energy supplies which poses a severe risk the health or well-being of the citizens of the state. During such an emergency, DOT may authorize the operation of overweight vehicles weighing 50,000 pounds or more and carrying energy resources or fuel to exceed statutory per-axel weight limits by up to 10 percent and statutory gross vehicle weight limits by up to 15 percent.

Under AB 781, DOT may authorize motor vehicles that have a gross weight of 26,000 pounds or less and that are transporting propane or heating oil for delivery to residences, businesses, or other end used, to exceed posted special weight limits that have been imposed on local roads due to frozen or thawing conditions on the highway. The operator of the vehicle must try to deliver propane at the time of day when the town roads used are least vulnerable.

As this brutal winter winds down, many town roads in rural areas will be posted during the spring thaw. Without this bill, propane supply trucks will have to haul fractional loads (or none at all), leading to longer reply time to customers, increased costs to dealers, and number of trips over these roads. In regards to the roads, it should be pointed out that the Wisconsin Counties Association has registered in favor of Senate Bill 574, the companion bill.

I hope you will join me in supporting this bill, and I apologize once again for my absence.

REPRESENTING WISCONSIN'S 69TH ASSEMBLY DISTRICT



JERRY PETROWSKI

WISCONSIN STATE SENATOR

Assembly Bill 781 *Propane Emergencies* February 25, 2014

Mr. Chairman and members of the committee, thank you for the opportunity to speak today on Assembly Bill 781.

We have drafted this bill in collaboration with the Wisconsin Propane Gas Association and local stakeholders to help address the issues of skyrocketing propane prices and the extraordinary strain this has put on suppliers seeking to deliver propane to residential customers.

Current law allows the governor to declare an energy emergency via executive order during a period of disruption of energy supplies which poses a serious risk to the economic well-being, health, and welfare of the citizens of this state. During an energy emergency, after consultation with the Department of Administration (DOA), the Department of Transportation (DOT) may authorize the operation of overweight vehicles weighing 50,000 pounds or more carrying energy resources or fuel to exceed the per-axle weight limits by up to 10 percent and the gross vehicle weight limits by up to 15 percent for 30 days. Due to extreme cold weather this winter, DOA and DOT authorized the overweight transport of fuel on January 3, 2014. As of February 3, 2014, the agencies have extended the authorization for an additional 30 days in recognition of the ongoing emergency.

While the process we have in place deals with the issue of getting bulk propane supplies to market, the bill we have before us today addresses the smaller vehicles (26,000 pounds or less) that primarily deliver fuel to residential customers, many of whom live in rural areas. During the spring thaw, when many town roads are posted for special weight limits, the majority of these small propane supply trucks are weight-restricted to the extent they can only haul fractional loads. Not only does this create delays in delivering fuel to customers, it also dramatically increases the transportation costs of the suppliers and increases the overall number of trips a supplier must make over a given section of roadway. Similar to the process outlined above, DOA and DOT are still required to determine if an energy emergency exists.

Thank you again for the opportunity to speak on this bill. I would be happy to answer any questions you may have.

29TH SENATE DISTRICT

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DATE: February 25, 2014

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

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

SUBJECT: Assembly Bill 781 (energy emergencies and vehicle weight limits)

Chairman Ripp and Committee Members:

The Wisconsin Department of Transportation (WisDOT) would like to provide some important background information and commentary to committee members as you consider 2013 Wisconsin Assembly Bill 781 (AB 781). AB 781 relates to energy emergencies and vehicle weight limits. The Department supports AB 781.

Under current law, with limited exceptions, no person may operate on a highway any vehicle or combination of vehicles that exceeds certain statutory size or weight limits, unless the person obtains a permit issued by WisDOT or a local highway authority, as applicable. In addition, during an energy emergency, after consultation with the Wisconsin Department of Administration (DOA), WisDOT may authorize, for a period not to exceed 30 days, the operation of overweight vehicles weighing 50,000 pounds or more and carrying energy resources or fuel or milk commodities to exceed statutory per-axle weight limits by up to 10 percent and statutory gross vehicle weight limits by up to 15 percent. This proposal creates a similar allowance for the delivery of propane and heating oil to Wisconsin residences and businesses.

AB 781 expands the ability of the State of Wisconsin to respond to energy emergencies, such as the one that currently exists. Specifically, this bill would allow WisDOT, during an energy emergency and after consultation with DOA, to authorize motor vehicles having a gross weight of 26,000 pounds or less and that are transporting propane or heating oil for delivery to residences, businesses or other end users to exceed posted special weight limits that have been imposed in connection with the thawing of frozen highways, which normally occurs in spring. A person operating a motor vehicle under this authorization must, to the extent practicable, deliver propane or heating oil during the times of day when the highways being used are the least vulnerable.

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