

TO AMEND TITLE 23, UNITED STATES CODE, WITH RESPECT TO THE OPERATION OF VEHICLES ON CERTAIN WISCONSIN HIGHWAYS, AND FOR OTHER PURPOSES

JULY 22, 2013.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SHUSTER, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 2353]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 2353) to amend title 23, United States Code, with respect to the operation of vehicles on certain Wisconsin highways, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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#### PURPOSE OF LEGISLATION

H.R. 2353 amends title 23, United States Code, to grandfather Wisconsin commercial vehicle weight limits on Highway 41 between Green Bay and Milwaukee when the route is designated as part of the Interstate Highway System.

#### BACKGROUND AND NEED FOR LEGISLATION

Highway 41 in Wisconsin, from Green Bay to Milwaukee, is a 131 mile corridor that is critical to economic activity and commerce within the state. Many businesses, including manufacturers and retail, are located along this corridor and rely on the corridor to efficiently move their goods to market. The corridor generates 29 percent of Wisconsin's tourism revenues and over 150,000 vehicles travel on the corridor daily.

In 2014, the State of Wisconsin intends to designate Highway 41 as part of the Interstate Highway System. Once the corridor is designated, Highway 41 will be required to meet federal commercial vehicle size and weight limits. Section 127 of title 23, United States Code, limits commercial vehicle weights on the Interstate Highway System to 80,000 pounds gross vehicle weight, 20,000 pounds on a single axle, and 34,000 on a tandem axle.

H.R. 2353 would grandfather current state commercial vehicle weights limits after Highway 41 is designated as an Interstate. Current Wisconsin state law allows certain commodities, such as forest products, agriculture, and scrap metal, to be transported on commercial vehicles that are over Interstate weight limits. H.R. 2353 allows trucks hauling those commodities to operate as they did before Highway 41 was designated as an Interstate.

#### HEARINGS

No hearings were held on H.R. 2353.

#### LEGISLATIVE HISTORY AND CONSIDERATION

On June 13, 2013, Representative Tom Petri (for himself and Representative Reid Ribble) introduced H.R. 2353. On July 18, 2013, the Committee on Transportation and Infrastructure met in open session and ordered the bill reported favorably to the House by voice vote with a quorum present.

#### COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no record votes taken in connection with consideration of H.R. 2353.

#### COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

## NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 2353 from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, July 22, 2013.*

Hon. BILL SHUSTER,  
*Chairman, Committee on Transportation and Infrastructure,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2353, a bill to amend title 23, United States Code, with respect to the operation of vehicles on certain Wisconsin highways, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sarah Puro.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

*H.R. 2353—A bill to amend title 23, United States Code, with respect to the operation of vehicles on certain Wisconsin highways, and for other purposes*

Under current law, there are weight restrictions on the vehicles that use the Interstate Highway System based on the number of axles on the vehicle. (The Interstate System is a subset of the National Highway System.) H.R. 2353 would allow vehicles over the restricted weight to continue to operate on United States Route 41 in the state of Wisconsin if that route were to be designated as a part of the Interstate System in the future. That route is not currently part of the National Highway System, so it is eligible for federal grants for highway construction. Including the route in the Interstate System in the future could affect Wisconsin's allocation of federal funds.

CBO estimates that enacting the legislation would have no impact on the federal budget because it would not affect the magnitude or the timing of any future grants from the Department of Transportation to the state of Wisconsin. Enacting H.R. 2353 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 2353 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Sarah Puro. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

#### PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to grandfather current weight limits on Highway 41 in Wisconsin after the corridor has been designated as an Interstate.

#### ADVISORY OF EARMARKS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee is required to include a list of congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives. No provision in the bill includes an earmark, limited tax benefit, or limited tariff benefit under clause 9(e), 9(f), or 9(g) of rule XXI.

#### DUPLICATION OF FEDERAL PROGRAMS

Pursuant to section 3(j) of H. Res. 5, 113th Cong. (2013), the Committee finds that no provision of H.R. 2353 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

#### DISCLOSURE OF DIRECTED RULE MAKINGS

Pursuant to section 3(k) of H. Res. 5, 113th Cong. (2013), the Committee estimates that enacting H.R. 2353 does not specifically direct the completion of any specific rule makings within the meaning of section 551 of title 5, United States Code.

#### FEDERAL MANDATE STATEMENT

The Committee adopts as its own the estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104–4).

#### PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee states that H.R. 2353 does not preempt any state, local, or tribal law.

#### ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation.

APPLICABILITY OF LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

SECTION-BY-SECTION ANALYSIS OF LEGISLATION

*Section 1. Operation of vehicles on certain Wisconsin highways*

H.R. 2353 amends section 127 of title 23, United States Code, to allow vehicles that are permitted to operate on Highway 41 in Wisconsin to continue to operate on the same corridor after the corridor has been designated as an Interstate.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

**TITLE 23, UNITED STATES CODE**

\* \* \* \* \*

**CHAPTER 1—FEDERAL-AID HIGHWAYS**

\* \* \* \* \*

**§ 127. Vehicle weight limitations—Interstate System**

(a) \* \* \*

\* \* \* \* \*

*(j) OPERATION OF VEHICLES ON CERTAIN WISCONSIN HIGHWAYS.—If any segment of the United States Route 41 corridor, as described in section 1105(c)(57) of the Intermodal Surface Transportation Efficiency Act of 1991, is designated as a route on the Interstate System, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a).*

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