



1995 ASSEMBLY BILL 402

May 24, 1995 - Introduced by Representative BRANCEL, cosponsored by Senator LEEAN, by request of Governor Tommy G. Thompson. Referred to Joint committee on Finance.

1 **AN ACT to repeal** 20.395 (1) (bz), 20.395 (2) (bt), 85.20 (4m) (am), 85.20 (4m) (e),
2 86.30 (2) (a) 3. c., 86.30 (2) (a) 3. d., 114.002 (4), 114.002 (13), 114.20 (2) (c),
3 114.20 (7), 114.20 (13) (b) 3., 341.14 (6r) (b) 3., 343.03 (1) (c), 343.03 (8), 343.14
4 (4) and 343.265 (1) (a) and (b); **to renumber** 20.395 (1) (bs) and 343.14 (3); **to**
5 **renumber and amend** 85.20 (4m) (a), 85.20 (4m) (b) 2., 85.26 (2) (a), 86.30 (9)
6 (b), 86.30 (9) (c), 114.20 (9) (a) to (c), 343.05 (4) (a) 3. and 343.265 (1) (intro.); **to**
7 **amend** 20.395 (1) (as), 20.395 (1) (at), 20.395 (1) (bq), 20.395 (1) (bu), 20.395 (3)
8 (bq), 20.395 (3) (bv), 20.395 (3) (bx), 20.395 (3) (cq), 20.395 (3) (cv), 20.395 (3)
9 (cx), 20.395 (3) (eq), 20.395 (3) (ev), 20.395 (3) (ex), 20.395 (3) (iq), 20.395 (3) (iv),
10 20.395 (3) (ix), 20.505 (1) (md), 20.566 (1) (u), 20.866 (2) (uv), 20.866 (2) (uw),
11 25.40 (1) (a) 3., 32.05 (8) (c), 32.25 (2) (b), 32.25 (2) (c), 70.337 (7), 73.01 (4) (a),
12 78.01 (2) (e), 78.01 (2m) (f), 78.40 (1), 78.75 (1m) (a) 2., 78.75 (1m) (a) 3., 84.013
13 (3) (ye), 84.076 (5), 84.59 (2), 84.59 (6), 85.08 (4m) (e) 1., 85.20 (4m) (em) 1., 85.20
14 (4s), 85.24 (3) (d) (intro.), 85.243 (title), 85.243 (2) (a), 86.30 (1) (f), 86.30 (2) (a)
15 1., 86.30 (2) (a) 3. (intro.), 86.30 (2) (b) 1g., 86.30 (2) (b) 2., 86.30 (2) (d), 86.30
16 (2) (e), 86.31 (3m), 110.08 (2), 114.002 (11), 114.20 (1) (title), 114.20 (1) (a),
17 114.20 (1) (b), 114.20 (2) (intro.), 114.20 (5), 114.20 (9) (d), 114.20 (12), 114.20

1 (13) (b) 1., 114.20 (13) (b) 2., 114.20 (13) (b) 5., 114.20 (15) (b), 121.555 (2) (c) 1.,
2 218.01 (2) (bd) 1g., 218.01 (2) (bd) 1r., 218.01 (2c) (c), 218.01 (3) (a) 24., 218.01
3 (3x) (b) 2., 218.01 (3x) (b) 3., 218.01 (3x) (c) 1. (intro.), 218.01 (3x) (c) 2., 218.01
4 (7m) (a), 218.01 (7m) (c), 340.01 (7m), 340.01 (7r), 341.14 (6r) (b) 2., 341.14 (6r)
5 (b) 4., 341.45 (title), 341.45 (1g) (a), 341.45 (1g) (b), 341.45 (5), 343.02 (1), 343.03
6 (1) (a), 343.03 (1) (b), 343.03 (5), 343.05 (2) (a) 2., 343.05 (2) (c), 343.055 (5),
7 343.06 (1) (c), 343.06 (2), 343.065 (title), 343.065 (1), 343.065 (2), 343.10 (2) (a)
8 1., 343.10 (10) (a), 343.12 (2) (h), 343.16 (1) (a), 343.17 (3) (e) 1., 343.21 (1) (g),
9 343.23 (2), 343.245 (3) (b) 3. and 4., 343.245 (4) (b), 343.28 (1), 343.28 (2),
10 343.305 (10) (em), 343.315 (2) (f) (intro.), 343.315 (3) (a), 343.315 (3) (b), 343.32
11 (4), 343.325 (title), 343.325 (2), 343.325 (3), 343.325 (3m), 343.325 (4), 343.325
12 (5), 343.325 (6) (a), 343.44 (title), 343.44 (1), 343.44 (3), 344.12, 344.14 (2) (e),
13 346.70 (1), 348.05 (2) (c), (k) and (L), 348.15 (3) (bg), (br), (bv) and (e), 348.175,
14 348.19 (2) (b) and (4), 348.27 (4), (9m) and (9r) and 967.055 (2) (a); **to repeal**
15 **and recreate** 20.005 (3) (schedule), 20.395 (2) (bq) (title), 32.05 (8) (a), 114.20
16 (5), 114.20 (13) (b) 1., 114.20 (13) (b) 2. and 343.03 (1) (title); and **to create**
17 20.395 (1) (au), 20.395 (1) (bs), 20.395 (1) (bw), 20.395 (3) (aq), 20.395 (3) (cr),
18 78.005 (13g), 84.01 (30), 84.013 (3) (kb) to (km), 85.20 (4m) (a) 1. to 3., 85.20 (4m)
19 (b) 2. a. to d., 85.20 (7), 85.243 (2) (b) 5., 85.26 (2) (a) 2., 86.30 (2) (a) 3. e., 86.30
20 (2) (a) 3. f., 86.30 (9) (b) 1. and 2., 86.30 (9) (c) 1. and 2., 86.30 (9) (d), 86.307,
21 114.20 (9m) (intro.), chapter 140, 341.21, 341.45 (4g), 343.01 (2) (cb), 343.01 (2)
22 (d), 343.05 (2) (c) 2., 343.14 (3) (b) and (c), 343.16 (2) (f), 343.21 (1) (jm), 343.21
23 (1) (m), 343.245 (3) (b) 5., 343.315 (2) (fm), 343.315 (2) (h), 343.315 (2) (i) and
24 343.44 (4r) of the statutes; **relating to:** state finances and appropriations for
25 the department of transportation; creating an oil company franchise fee;

1 taxation of motor vehicle fuel that is not sold for use on highways; motor vehicle
2 fuel and alternate fuel taxes and qualified motor vehicles; authorizing
3 construction of additional major highway projects; creating a seasonal highway
4 rehabilitation program; environmental clean-up activities on lands acquired
5 by the department of transportation; vehicle weight and width limit exceptions
6 on a part of the national system of interstate and defense highways; numerous
7 changes to the classified driver license system and commercial motor vehicle
8 operation; eligibility for an occupational license; the driving skills test required
9 of applicants for operators' licenses; demerit point reduction for completion of
10 a rider course relating to Type 1 motorcycle operation; vehicle accidents
11 resulting in property damage; performance of motor vehicle registration and
12 titling functions by motor vehicle dealers; the fee for issuance or reissuance of
13 special distinguishing motor vehicle registration plates; permitting the
14 department of transportation to make, record and use digitized images of
15 applicants for operators' licenses and identification cards; local transportation
16 aids; the funding of the urban mass transit operating assistance program;
17 reimbursement for town road improvements under the local roads
18 improvement program; authorizing the department of transportation to
19 conduct projects under the surface transportation discretionary grants
20 program; the employment transit assistance program; the registration period
21 and fees applicable to aircraft; the obligation of a condemnor to make available
22 a comparable replacement business to a person displaced from a business as a
23 result of condemnation; delaying the expiration date of the disadvantaged
24 business demonstration and training program; exempting railroad property
25 acquired by the department of transportation from the tax-exempt property

1 reporting requirement; granting bonding authority; providing an exemption
2 from emergency rule procedures; granting rule-making authority; making
3 appropriations; and providing penalties.

Analysis by the Legislative Reference Bureau

INTRODUCTION

This bill contains the governor's recommendations for appropriations from segregated funds and from the general fund for the department of transportation (DOT) for the 1995-97 fiscal biennium.

The bill repeals and recreates the appropriation schedule in chapter 20 of the statutes as it relates to s. 20.395, stats., thereby setting the appropriation levels for DOT for the 1995-97 fiscal biennium. With minor exceptions, the bill does not affect appropriations other than those for DOT. The descriptions that follow relate to the most significant changes in the law proposed in the bill. In most cases, changes in the amounts of existing spending authority are not discussed.

For additional information concerning this bill, see the legislative reference bureau's drafting files that contain separate drafts on each policy item.

TRANSPORTATION

TRANSPORTATION REVENUE

This bill creates an oil company franchise fee, which is imposed on persons who import motor vehicle fuel into this state; produce, refine or manufacture motor vehicle fuel in this state; or acquire motor vehicle fuel immediately after it is imported into this state. The fee is an amount equal to 4.85% of the average weighted retail price per gallon for the sale of motor vehicle fuel in this state. "Average weighted retail price" means \$1.10 for motor vehicle fuel received at terminals between October 1, 1995, which is the effective date of the fee, and March 31, 1997. For motor vehicle fuel received on April 1, 1997, and thereafter, "average weighted retail price" means that price per gallon as determined by a method established by the department of revenue by rule within the range of \$1.10 and \$1.30, except that the lower and upper limits are indexed annually as of April 1 to reflect the change in the consumer price index during the previous year. Dyed diesel fuel; fuel exported from this state; and fuel shipped from storage at a refinery, marine terminal, pipeline terminal, pipeline tank farm or place of manufacture to another entity of those types is exempt.

The proceeds of this fee are deposited in the transportation projects fund and may be pledged for bonds for that purpose.

Under current law, diesel fuel sold for off-highway use is exempt from the motor vehicle fuel tax. Under this bill, diesel fuel sold for off-highway use in a snowmobile, an all-terrain vehicle that is not registered for private use or a recreational motorboat is taxable.

Under current law, the tax on alternate fuels attaches at the time that the fuel is delivered into the tank of a motor vehicle or, if it is not delivered that way, at the time that the fuel is used. Under this bill, the tax also attaches at the time that the fuel is delivered into the fuel tank of a snowmobile, all-terrain vehicle that is not registered for private use or motorboat.

Under current law, refunds for motor vehicle fuel taxes or alternate fuel taxes paid on fuel used in motorboats, except those registered as motor vehicles, may not be claimed. This bill allows claims for taxes paid for fuel used in nonrecreational motorboats.

Under current law, any person who operates a certain type of motor vehicle for the transportation of persons or property in this state is required to pay a Wisconsin motor vehicle fuel or alternate fuels tax on the gallons of fuel that were purchased or obtained outside this state and which are consumed by the vehicle while being operated in this state. This bill authorizes DOT to issue a 72-hour fuel trip permit at a fee of not less than \$15 to a person who would otherwise be required to pay the Wisconsin motor vehicle fuel or alternate fuels tax. DOT is required to promulgate rules regarding the issuance and use of these permits.

HIGHWAYS

Current law requires that any major highway project, unlike other construction projects undertaken by DOT, receive the approval of the transportation projects commission (TPC) and the legislature before the project may be constructed. A major highway project is a project having a total cost of more than \$5,000,000 and involving construction of a new highway 2.5 miles or more in length; reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes 5 miles or more in length to the highway; or improvement of an existing multilane divided highway to freeway standards. There are currently 66 enumerated major highway projects approved for construction.

This bill adds 3 major highway projects recommended by TPC to the list of enumerated projects.

This bill creates a seasonal highway rehabilitation program to rehabilitate highways located in the northern part of the state, on which any special or seasonal weight limitation applies.

This bill permits DOT to fund environmental clean-up activities on lands acquired by DOT that are not eligible to receive funding for the environmental clean-up activities as part of a highway improvement project.

Current law imposes weight and width limitations for vehicles operating on highways in this state and specifies exceptions to those vehicle weight or width limits. Certain vehicle weight and width limit exceptions do not apply or are further restricted on highways that are part of the national system of interstate and defense highways. These exceptions include width limitations for farm tractors and weight limitations for the transportation of raw forest and agricultural products or of metallic or nonmetallic scrap.

This bill provides that, for purposes of vehicle weight and width limit exceptions, USH 51 between Wausau and the I 90/94 interchange near Portage is not part of the national system of interstate and defense highways upon its federal designation as I 39.

DRIVERS AND MOTOR VEHICLES

Under current law, DOT administers a classified driver license system to implement the requirements of the federal commercial motor vehicle safety act of 1986. The classified driver license system provides a comprehensive single license authorizing the operation of specific classes and types of motor vehicles, including commercial motor vehicles. In addition, DOT disqualifies any driver who has committed certain serious traffic-related offenses from operating a commercial motor vehicle for a certain period of time, up to a lifetime disqualification.

This bill makes numerous changes to the classified driver license system. These changes include:

1. Creating new disqualifications for certain offenses relating to a commercial driver license application and for operating a commercial motor vehicle while ordered out-of-service for certain alcohol-related offenses. The bill imposes a longer period of disqualification for an out-of-service violation if the person was operating a hazardous materials transporter or a vehicle designed to carry, or which was actually carrying, 16 or more persons.

2. Requiring a person operating, upon a highway in this state, motorized construction equipment that is designed principally for off-road use, to possess a valid Wisconsin driver's license. The motorized construction equipment operator is exempt from any commercial driver licensing requirements. Current law exempts such operators from all licensing requirements of DOT.

3. Changing restricted commercial driver licenses to prohibit only the operation of commercial motor vehicles in interstate commerce, rather than prohibiting commercial motor vehicle operation outside this state and in interstate commerce.

4. Increasing the fine that may be imposed on an employer who knowingly allows or authorizes an employe to operate a commercial motor vehicle when the employe is not validly authorized to operate the commercial motor vehicle. The penalty is increased from a fine of not more than \$5,000 to a fine of not less than \$2,500 nor more than \$10,000.

5. Making ineligible for an occupational license any person whose license or operating privilege was revoked or suspended within the previous year for a controlled substances violation or a violation of the financial responsibility laws of this state.

Under current law, an applicant for a driver's license to operate "Class D" vehicles (all noncommercial motor vehicles except Type 1 motorcycles) is required to successfully complete a knowledge test and a driving skills test. An instructor in a driver education course in a public school, private school, or technical college approved by the technical college system board may, if permitted by DOT, administer

the knowledge test to students in the driver education course and certify the results to DOT. These instructors are not permitted to administer the driving skills test.

This bill permits DOT, by rule, to waive the driving skills test of an applicant for a driver's license to operate "Class D" vehicles who is under 18 years of age, has successfully completed an enhanced driver education course approved by the department of public instruction or the technical college system board, and whose instructor in that course certifies that the applicant satisfied the driving skills requirements of the course. This waiver provision applies only to driver education courses in public schools, private schools and technical colleges.

Current law permits the secretary of transportation to suspend or revoke a person's operating privilege for repeated violations of state or local traffic laws. The secretary is authorized to establish a schedule of demerit points based on the seriousness of various traffic convictions. The secretary is required to reduce the accumulated demerit points assessed against a person by up to 3 points if the person successfully completes a rider course on motorcycle operation approved by the secretary. Point reduction applies only to demerit points assessed for violations committed before completion of the rider course while the person was driving or operating a Type 1 motorcycle and may not occur more than once.

This bill removes the prohibition against such point reduction occurring more than once per person.

Under current law, the operator of a vehicle involved in an accident resulting in total damage of \$500 or more to a publicly owned vehicle or to private property must report the accident as soon as possible to the state patrol or to the law enforcement agency of the jurisdiction where the accident occurred. Failure to report an accident may result in a forfeiture of not less than \$40 nor more than \$200 or, for a 2nd or subsequent offense within a year, a forfeiture of not less than \$200 nor more than \$500.

Current law requires DOT to notify the operator or owner of a motor vehicle who is involved in an accident that results in property damage of \$500 or more that he or she must submit to DOT a deposit of security for the accident. A deposit of security is not required if the person can provide proof of financial responsibility (an applicable motor vehicle liability insurance policy or bond in effect at the time of the accident providing minimum levels of liability insurance for bodily injury and property damage). With certain exceptions, failure to provide a deposit of security or proof of financial responsibility after an accident results in revocation of the operator's motor vehicle operating privilege or of the registration of any vehicles registered by the owner of the vehicle involved in the accident.

This bill raises the minimum property damage for these provisions from \$500 to \$1,000.

Under current law, a motor vehicle dealer may accept from a vehicle purchaser applications and any required fees for registration or titling of the vehicle. The dealer must forward the application and fees to DOT within 7 days after the vehicle sale. DOT processes each application and forwards the applicable certificate of registration or titling to the purchaser.

This bill allows a motor vehicle dealer, by contract with DOT, to accept and process applications, and any applicable fees, for vehicle registration or title, and to issue certificates of registration, certificates of title, registration stickers and license plates. DOT may allow a motor vehicle dealer to charge an applicant a fee for such services.

Currently, members of authorized special groups may obtain special distinguishing registration plates for certain vehicles registered with DOT that are owned or leased by special group members. Special plates may be obtained for automobiles, station wagons, motor homes and certain dual purpose motor homes, farm trucks and dual purpose farm trucks. In addition to the regular registration fee for the particular kind of vehicle, no fee is assessed to issue or reissue special plates associated with endangered resources, \$15 is assessed to issue or reissue special plates related to certain campuses of the University of Wisconsin System and \$10 is assessed to issue or reissue all other special distinguishing registration plates.

This bill provides that a fee of \$15 be assessed for the issuance or reissuance of all special distinguishing registration plates, including endangered resources special plates.

Under current law, DOT is required to take a photograph of any applicant for a driver's license or identification card and affix the photograph to the driver's license or identification card issued to that applicant.

This bill authorizes DOT to take and use a digitized image of an applicant in addition to, or in place of, a photograph for use on a driver's license or identification card issued to that applicant. The bill also requires that any photograph, including a digitized image, be kept confidential by DOT and be used only by DOT, by authorized law enforcement authorities, by state agencies, by federal agencies or as the applicant may direct.

TRANSPORTATION AIDS

Under current law, DOT administers a local transportation aids program. Under the program, DOT makes aid payments to a county based on a share of costs formula for counties, and to a municipality (city, village or town) based on the greater of a share of costs formula for municipalities or an aid rate per mile (\$1,350 for 1995).

This bill provides that only towns are eligible for mileage-based aid under the program; aid payments to cities and villages are based solely on the share of costs formula for municipalities. The aid rate per mile for towns is increased to \$1,415 in 1996 and to \$1,480 for 1997 and thereafter.

Under current law, DOT pays 42% of the operating expenses of an urban mass transit system if the local public body that provides the mass transit system is eligible for aid under the urban mass transit operating assistance program. DOT also makes supplemental operating assistance payments to eligible systems with annual operating expenses greater than \$20,000,000 and an annual ridership of more than 7,000,000 one-way trips.

This bill revises the funding formula for the program and eliminates supplemental operating assistance payments. Under the bill, DOT makes state aid

payments sufficient to ensure that the combination of state and federal aids contributed toward the operating expenses of an urban mass transit system equals the uniform percentage established by DOT for the mass transit system. The bill requires DOT to establish uniform percentages for each of the following: 1) mass transit systems in urban areas having a population of less than 50,000; 2) mass transit systems in urban areas having a population between 50,000 and 200,000; and 3) mass transit systems in urban areas having a population of more than 200,000.

The bill also requires DOT to establish, by rule, cost-efficiency standards for urban mass transit systems and, if a mass transit system incurs costs inconsistent with those standards, to exclude those costs from operating expenses for purposes of mass transit aid or to reduce the amount of aid for the mass transit system under the program. DOT is given emergency rule-making authority to establish the cost-efficiency standards.

Currently, under the urban mass transit operating assistance program, each applicant is required to make a local contribution, exclusive of user fees, equal to at least 20% of the state aid allocations under the program. Any applicant that is served solely by a shared-ride taxicab system is not required to make a local contribution.

This bill requires any eligible applicant that is served solely by a shared-ride taxicab system to make a local contribution, exclusive of user fees, equal to at least 5% of the state aid allocations under the program for 1996, at least 10% of the state aid allocations under the program for 1997, at least 15% of the state aid allocations under the program for 1998 and at least 20% of the state aid allocations under the program for calendar year 1999 and thereafter.

This bill increases the level of revenue bonding for major highway projects and transportation administrative facilities from \$950,834,000 to \$1,074,514,500, of which not more than \$1,031,634,300 may be used to fund such projects and facilities.

Under current law, DOT administers a local roads improvement program to reimburse counties, cities, villages and towns for up to 50% of eligible costs of local road improvements (highway construction projects with a projected design life of at least 10 years and highway feasibility studies). Under an entitlement formula, town road improvements are eligible for 28.5% of the funds available for reimbursements. In addition, \$500,000 is allocated in each fiscal year for the reimbursement of town road improvements with eligible costs of not less than \$100,000 notwithstanding any reimbursements made under the existing entitlement formula.

This bill increases this allocation in each fiscal year from \$500,000 to \$1,000,000.

Under current law, DOT administers a surface transportation discretionary grants program. Under the program, DOT annually may award grants to local public bodies for surface transportation projects that promote nonhighway use or otherwise supplement existing transportation activities. Specific conditions apply to the awarding of grants to any local public body in an urbanized area served by a metropolitan planning organization (an organization that develops transportation plans and programs).

This bill permits DOT to conduct surface transportation projects under the program or to award grants to other state agencies for such projects.

Under current law, DOT administers an employment transit assistance program to provide transit assistance related to access to employment locations and the development of innovative transit service methods. Under the program, DOT may conduct projects with these objectives or may contract with an eligible applicant (a local public body or a private organization) to conduct a project. DOT may make grants to eligible applicants to conduct a project or to match a federal grant for a project. Grants by DOT may not exceed 80% of the cost of a project.

This bill changes eligibility requirements for a grant or contract under the program. Eligibility is limited to applicants who provide employment, training or job placement services in a county with a population of 500,000 or more and who are local public bodies or private organizations located in the county or 2 or more state agencies coordinating such services.

Currently, the program is funded solely with federal funds, including oil overcharge funds. This bill eliminates the use of federal oil overcharge funds for the program and appropriates state funds for the program.

RAIL AND AIR TRANSPORTATION

Under current law, DOT is authorized to contract up to \$10,000,000 in public debt for the acquisition of rail property and for grants and loans awarded by DOT for certain rail property acquisitions and improvements. This bill increases this authorized general obligation bonding limit from \$10,000,000 to \$14,500,000.

Under current law, with specified exceptions, any aircraft based in this state is required to be registered annually by its owner with DOT. An annual registration fee is collected by DOT on the basis of the maximum gross weight of the aircraft, up to a maximum of \$3,125 for aircraft with a maximum gross weight of more than 100,000 pounds. DOT collects a charge for late payment of the annual registration fee of up to 20% of the applicable fee.

This bill makes a number of changes in aircraft registration. The bill:

1. Establishes biennial registration for aircraft with a maximum gross weight of not more than 3,000 pounds, with the current annual registration fee for the aircraft doubled.
2. Requires a minimum late payment charge of \$50.
3. Eliminates an aircraft dealer exemption from aircraft registration.
4. Changes the definition of "antique aircraft" to apply to any aircraft manufactured in 1944 or earlier instead of aircraft more than 35 years old. Current law permits antique aircraft to be registered with DOT for a one-time registration fee of \$50 that remains valid while the aircraft is owned by the registrant.

OTHER TRANSPORTATION

Under current law, the state is authorized to issue general obligation bonds to finance grants awarded by DOT for harbor improvements, with the principal repayment and interest payments to be made from transportation fund revenue.

This bill increases the authorized general obligation bonding limit for grants awarded by DOT for harbor improvements from \$9,000,000 to \$12,000,000.

Under current law, with certain exceptions a condemnor may not require any person who occupies premises on the date that title to the premises is transferred to the condemnor to vacate the premises until a comparable replacement property is made available to the person.

This bill provides that whenever a business is condemned for transportation purposes, the condemnor may require any persons displaced as a result to vacate without making a comparable replacement business available. The condemnor must still take reasonable and necessary steps to assist owners of displaced business concerns in obtaining and becoming established in suitable replacement business locations.

Under current law, DOT administers a demonstration and training program for the purpose of developing the capability of disadvantaged businesses to participate in DOT construction projects. Under the program, disadvantaged businesses include those businesses that are at least 51% owned by minority group members, women or other individuals found by DOT to be socially and economically disadvantaged according to certain federal criteria. The program is scheduled to expire on June 30, 1995.

This bill extends the expiration date for the disadvantaged business demonstration and training program until September 30, 1997.

Under current law, an owner of property that is exempt from taxes is required to file a report on that property every 2 years with the clerk of the taxation district where the property is located. Certain exceptions are made. This bill adds an exception for certain railroad property that DOT acquires.

This bill will be referred to the joint survey committee on tax exemptions for a detailed analysis, which will be printed as an appendix to this bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 ***-3046/P2.1*** SECTION 1. 20.005 (3) (schedule) of the statutes, as it affects
2 20.395 of the statutes, is repealed and recreated to read:

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
4 20.395 Transportation, department of				
5 (1) AIDS				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(ar) Corrections of transportation aid				
2	payments	SEG	S	-0-	-0-
3	(as) Transportation aids to counties,				
4	state funds	SEG	A	68,809,500	73,473,900
5	(at) Transportation aids to				
6	municipalities, state funds	SEG	A	175,480,000	146,367,200
7	(au) Transportation aids to towns, state				
8	funds	SEG	A	40,118,500	81,252,400
9	(bq) Small communities transit				
10	operating aids, state funds	SEG	A	53,139,900	4,374,000
11	(br) Milwaukee urban area rail transit				
12	system planning study, state funds	SEG	A	-0-	-0-
13	(bs) Medium-sized communities transit				
14	operating aids, state funds	SEG	A	3,502,500	14,383,600
15	(bt) Urban rail transit system grants	SEG	C	-0-	-0-
16	(bu) Large communities transit				
17	operating aids, state funds	SEG	A	17,549,000	59,801,000
18	(bv) Transit aids, local funds	SEG-L	C	-0-	-0-
19	(bw) Employment transit aids, state				
20	funds	SEG	A	596,500	614,400
21	(bx) Transit aids, federal funds	SEG-F	C	13,800,000	6,600,000
22	(by) Employment transit aids, federal				
23	funds	SEG-F	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(cq) Elderly and disabled capital aids,				
2	state funds	SEG	A	733,700	755,700
3	(cr) Elderly and disabled county aids,				
4	state funds	SEG	A	5,355,600	5,516,300
5	(cv) Elderly and disabled aids, local				
6	funds	SEG-L	C	458,400	463,900
7	(cx) Elderly and disabled aids, federal				
8	funds	SEG-F	C	1,100,000	1,100,000
9	(ds) Demand management and				
10	ride-sharing grants, state funds	SEG	A	300,000	300,000
11	(ex) Highway safety, local assistance,				
12	federal funds	SEG-F	C	1,700,000	1,700,000
13	(fq) Connecting highways aids, state				
14	funds	SEG	A	11,560,500	11,947,600
15	(fs) Flood damage aids, state funds	SEG	S	600,000	600,000
16	(ft) Lift bridge aids, state funds	SEG	B	1,350,000	1,500,000
17	(fu) County forest road aids, state funds	SEG	A	180,500	180,500
18	(gq) Expressway policing aids, state				
19	funds	SEG	A	828,400	853,300
(1) PROGRAM TOTALS					
	SEGREGATED FUNDS			397,163,000	411,783,800
	FEDERAL			(16,600,000)	(9,400,000)
	OTHER			(380,104,600)	(401,919,900)
	LOCAL			(458,400)	(463,900)
	TOTAL-ALL SOURCES			397,163,000	411,783,800

20 (2) LOCAL TRANSPORTATION ASSISTANCE

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(aq) Accelerated local bridge				
2	improvement assistance, state				
3	funds	SEG	C	5,075,000	1,000,000
4	(av) Accelerated local bridge				
5	improvement assistance, local				
6	funds	SEG-L	C	1,691,700	333,300
7	(ax) Accelerated local bridge				
8	improvement assistance, federal				
9	funds	SEG-F	C	-0-	-0-
10	(bq) Rail service assistance, state funds	SEG	C	659,400	659,400
11	(br) Rail passenger service, state funds	SEG	B	572,500	572,500
12	(bu) Freight rail infrastructure				
13	improvements, state funds	SEG	C	5,579,800	5,579,800
14	(bv) Rail service assistance, local funds	SEG-L	C	500,000	500,000
15	(bw) Freight rail assistance loan				
16	repayments, local funds	SEG-L	C	-0-	-0-
17	(bx) Rail service assistance, federal				
18	funds	SEG-F	C	50,000	50,000
19	(cq) Harbor assistance, state funds	SEG	C	580,700	580,700
20	(dq) Aeronautics assistance, state funds	SEG	C	12,973,400	12,973,400
21	(dv) Aeronautics assistance, local funds	SEG-L	C	6,985,200	6,985,200
22	(dx) Aeronautics assistance, federal				
23	funds	SEG-F	C	20,000,000	20,000,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(eq) Highway and local bridge				
2	improvement assistance, state				
3	funds	SEG	C	8,190,800	9,172,600
4	(ev) Local bridge improvement				
5	assistance, local funds	SEG-L	C	8,182,300	8,427,700
6	(ex) Local bridge improvement				
7	assistance, federal funds	SEG-F	C	24,538,200	24,538,200
8	(fr) Local roads improvement program,				
9	state funds	SEG	C	15,836,400	16,176,500
10	(fv) Local transportation facility				
11	improvement assistance, local				
12	funds	SEG-L	C	30,333,400	30,673,500
13	(fx) Local transportation facility				
14	improvement assistance, federal				
15	funds	SEG-F	C	57,538,000	57,538,000
16	(gq) Railroad crossing improvement and				
17	protection maintenance, state funds	SEG	A	2,250,000	2,250,000
18	(gr) Railroad crossing improvement and				
19	protection installation, state funds	SEG	A	450,000	450,000
20	(gs) Railroad crossing repair assistance,				
21	state funds	SEG	C	-0-	-0-
22	(gv) Railroad crossing improvement,				
23	local funds	SEG-L	C	-0-	-0-
24	(gx) Railroad crossing improvement,				
25	federal funds	SEG-F	C	1,849,300	1,849,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(hq) Multimodal transportation studies,				
2	state funds	SEG	C	1,000,000	1,000,000
3	(hx) Multimodal transportation studies,				
4	federal funds	SEG-F	C	-0-	-0-
5	(iq) Transportation facilities economic				
6	assistance and development, state				
7	funds	SEG	C	4,000,000	4,000,000
8	(iv) Transportation facilities economic				
9	assistance and development, local				
10	funds	SEG-L	C	4,000,000	4,000,000
11	(iw) Transportation facility				
12	improvement loans, local funds	SEG-L	C	-0-	-0-
13	(ix) Transportation facilities economic				
14	assistance & development, federal				
15	funds	SEG-F	C	-0-	-0-
16	(jq) Surface transportation grants, state				
17	funds	SEG	C	-0-	-0-
18	(jv) Surface transportation grants, local				
19	funds	SEG-L	C	1,000,000	1,000,000
20	(jx) Surface transportation grants,				
21	federal funds	SEG-F	C	4,000,000	4,000,000
22	(kv) Congestion mitigation and air				
23	quality improvement, local funds	SEG-L	C	2,207,400	2,207,400
24	(kx) Congestion mitigation and air				
25	quality improvement, federal funds	SEG-F	C	8,829,500	8,829,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(mq) Local assistance administration,				
2	state funds	SEG	A	1,470,000	1,467,700
3	(mv) Local assistance administration,				
4	local funds	SEG-L	C	-0-	-0-
5	(mx) Local assistance administration,				
6	federal funds	SEG-F	C	300,000	300,000
		(2) PROGRAM TOTALS			
	SEGREGATED FUNDS			230,643,000	227,114,700
	FEDERAL			(117,105,000)	(117,105,000)
	OTHER			(58,638,000)	(55,882,600)
	LOCAL			(54,900,000)	(54,127,100)
	TOTAL-ALL SOURCES			230,643,000	227,114,700
7	(3) STATE HIGHWAY FACILITIES				
8	(aq) Environmental clean-up activities,				
9	state funds	SEG	C	2,000,000	2,000,000
10	(bq) Major highway development, state				
11	funds	SEG	C	21,995,300	23,413,500
12	(br) Major highway development,				
13	service funds	SEG-S	C	99,667,200	103,584,000
14	(bv) Major highway development, local				
15	funds	SEG-L	C	-0-	-0-
16	(bx) Major highway development,				
17	federal funds	SEG-F	C	59,550,500	61,337,000
18	(cq) State highway rehabilitation, state				
19	funds	SEG	C	279,011,800	322,612,100
20	(cr) Seasonal highway rehabilitation				
21	program, state funds	SEG	C	-0-	2,000,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97	
1	(cv) State highway rehabilitation, local					
2	funds	SEG-L	C	2,000,000	2,000,000	
3	(cx) State highway rehabilitation,					
4	federal funds	SEG-F	C	157,666,000	155,879,500	
5	(eq) Highway maintenance, repair and					
6	traffic operations, state funds	SEG	B	142,356,500	146,255,900	
7	(ev) Highway maintenance, repair and					
8	traffic operations, local funds	SEG-L	C	250,000	250,000	
9	(ex) Highway maintenance, repair and					
10	traffic operations, federal funds	SEG-F	C	-0-	-0-	
11	(iq) Administration and planning, state					
12	funds	SEG	A	17,415,200	17,585,900	
13	(ir) Disadvantaged business					
14	mobilization assistance, state funds	SEG	C	-0-	-0-	
15	(iv) Administration and planning, local					
16	funds	SEG-L	C	-0-	-0-	
17	(ix) Administration and planning,					
18	federal funds	SEG-F	C	3,282,700	3,282,700	
	(3) PROGRAM TOTALS					
	SEGREGATED FUNDS			785,195,200	840,200,600	
	FEDERAL			(220,499,200)	(220,499,200)	
	OTHER			(462,778,800)	(513,867,400)	
	SERVICE			(99,667,200)	(103,584,000)	
	LOCAL			(2,250,000)	(2,250,000)	
	TOTAL-ALL SOURCES			785,195,200	840,200,600	
19	(4) GENERAL TRANSPORTATION OPERATIONS					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(aq) Departmental management and				
2	operations, state funds	SEG	A	39,582,800	39,397,000
3	(ar) Minor construction projects, state				
4	funds	SEG	C	708,600	574,600
5	(at) Capital building projects, service				
6	funds	SEG-S	C	4,674,000	4,674,000
7	(av) Departmental management and				
8	operations, local funds	SEG-L	C	369,000	369,000
9	(ax) Departmental management and				
10	operations, federal funds	SEG-F	C	6,825,000	6,825,000
11	(bh) Hazardous materials				
12	transportation fees	PR	B	113,600	113,600
13	(ch) Gifts and grants	PR	C	-0-	-0-
14	(dq) Demand management	SEG	A	250,500	250,500
15	(eq) Data processing services, service				
16	funds	SEG-S	C	15,109,600	15,109,600
17	(er) Fleet operations, service funds	SEG-S	C	11,413,900	11,413,900
18	(es) Other department services,				
19	operations, service funds	SEG-S	C	1,119,800	1,119,800
20	(et) Equipment acquisition	SEG	A	-0-	-0-

(4) PROGRAM TOTALS

PROGRAM REVENUE	113,600	113,600
OTHER	(113,600)	(113,600)
SEGREGATED FUNDS	80,053,200	79,733,400
FEDERAL	(6,825,000)	(6,825,000)
OTHER	(40,541,900)	(40,222,100)
SERVICE	(32,317,300)	(32,317,300)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
LOCAL				(369,000)	(369,000)
TOTAL-ALL SOURCES				80,166,800	79,847,000
1	(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				
2	(cg) Vehicle registration, telephone				
3	renewal transactions, state funds	PR	C	-0-	-0-
4	(ch) Repaired salvage vehicle				
5	examinations, state funds	PR	C	-0-	-0-
6	(cq) Vehicle reg., inspection &				
7	maintenance & driver licensing,				
8	state funds	SEG	A	62,647,000	63,195,600
9	(cx) Vehicle registration and driver				
10	licensing, federal funds	SEG-F	C	200,000	200,000
11	(dk) Public safety radio management,				
12	service funds	PR-S	C	175,900	175,900
13	(dq) Vehicle inspection, traffic				
14	enforcement and radio				
15	management, state funds	SEG	A	38,713,000	39,061,600
16	(dv) Vehicle inspection and traffic				
17	enforcement; local funds	SEG	C	-0-	-0-
18	(dx) Vehicle inspection and traffic				
19	enforcement, federal funds	SEG-F	C	2,004,400	2,004,400
20	(hq) Motor veh. emission insp. and				
21	maint. program, contractor costs,				
22	state funds	SEG	A	8,021,700	8,021,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(hx) Motor vehicle emission inspection				
2	and maintenance programs, federal				
3	funds	SEG-F	C	-0-	-0-
4	(iv) Municipal and county registration				
5	fee, local funds	SEG-L	C	-0-	-0-
(5) PROGRAM TOTALS					
	PROGRAM REVENUE			175,900	175,900
	OTHER			(-0-)	(-0-)
	SERVICE			(175,900)	(175,900)
	SEGREGATED FUNDS			111,586,100	112,483,300
	FEDERAL			(2,204,400)	(2,204,400)
	OTHER			(109,381,700)	(110,278,900)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			111,762,000	112,659,200
6	(6) DEBT SERVICES				
7	(aq) Principal repayment and interest,				
8	transportation facilities, state funds	SEG	S	8,643,300	7,241,500
9	(ar) Principal repayment and interest,				
10	buildings, state funds	SEG	S	686,800	645,100
11	(as) Transportation facilities and				
12	highway projects revenue				
13	obligation repayment	SEG	C	-0-	-0-
(6) PROGRAM TOTALS					
	SEGREGATED FUNDS			9,330,100	7,886,600
	OTHER			(9,330,100)	(7,886,600)
	TOTAL-ALL SOURCES			9,330,100	7,886,600
20.395 DEPARTMENT TOTALS					
	PROGRAM REVENUE			289,500	289,500
	OTHER			(113,600)	(113,600)
	SERVICE			(175,900)	(175,900)
	SEGREGATED FUNDS			1,613,970,600	1,679,202,400
	FEDERAL			(363,233,600)	(356,033,600)
	OTHER			(1,060,775,100)	(1,130,057,500)
	SERVICE			(131,984,500)	(135,901,300)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
LOCAL			(57,977,400)	(57,210,000)
TOTAL-ALL SOURCES			1,614,260,100	1,679,491,900

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***-2280/3.1* SECTION 2.** 20.395 (1) (as) of the statutes is amended to read:
20.395 (1) (as) *Transportation aids to counties, state funds.* The amounts in the schedule for local transportation aids to counties under s. 86.30 (2) (a) 2. b.

***-2280/3.2* SECTION 3.** 20.395 (1) (at) of the statutes is amended to read:
20.395 (1) (at) *Transportation aids to municipalities, state funds.* The amounts in the schedule for local transportation aids to municipalities under s. 86.30 (2) (a) 2. a.

***-2280/3.3* SECTION 4.** 20.395 (1) (au) of the statutes is created to read:
20.395 (1) (au) *Transportation aids to towns, state funds.* The amounts in the schedule for local transportation aids to towns under s. 86.30 (2) (a) 3.

***-2201/5.1* SECTION 5.** 20.395 (1) (bq) of the statutes is amended to read:
20.395 (1) (bq) (title) *Transit Small communities transit operating aids, state funds.* The amounts in the schedule for the mass transit aid program aids to small communities under s. 85.20 (4m) (a) 1.

***-2201/5.2* SECTION 6.** 20.395 (1) (bs) of the statutes is renumbered 20.395 (1) (ds).

***-2201/5.3* SECTION 7.** 20.395 (1) (bs) of the statutes is created to read:
20.395 (1) (bs) *Medium-sized communities transit operating aids, state funds.*
The amounts in the schedule for mass transit aids to medium-sized communities under s. 85.20 (4m) (a) 2.

***-2201/5.4* SECTION 8.** 20.395 (1) (bu) of the statutes is amended to read:

1 20.395 (1) (bu) (title) *Supplemental Large communities transit operating aids,*
2 *state funds.* The amounts in the schedule for the mass transit aid program aids to
3 large communities under s. 85.20 (4m) ~~(am)~~ (a) 3.

4 ***-3009/2.1*** SECTION 9. 20.395 (1) (bw) of the statutes is created to read:

5 20.395 (1) (bw) *Employment transit aids, state funds.* The amounts in the
6 schedule for the employment transit assistance program under s. 85.26.

7 ***-3009/2.2*** SECTION 10. 20.395 (1) (bz) of the statutes is repealed.

8 ***-0654/1*** SECTION 11. 20.395 (2) (bq) (title) of the statutes is repealed and
9 recreated to read:

10 20.395 (2) (bq) (title) *Rail service assistance, state funds.*

11 ***-2194/3.1*** SECTION 12. 20.395 (2) (bt) of the statutes is repealed.

12 ***-0653/2.1*** SECTION 13. 20.395 (3) (aq) of the statutes is created to read:

13 20.395 (3) (aq) *Environmental clean-up activities, state funds.* As a continuing
14 appropriation, the amounts in the schedule for environmental clean-up activities
15 under s. 84.01 (30).

16 ***-0652/1.1*** SECTION 14. 20.395 (3) (bq) of the statutes is amended to read:

17 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
18 appropriation, the amounts in the schedule for major development of state trunk and
19 connecting highways and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged
20 business demonstration and training program under s. 84.076.

21 ***-0652/1.2*** SECTION 15. 20.395 (3) (bv) of the statutes is amended to read:

22 20.395 (3) (bv) *Major highway development, local funds.* All moneys received
23 from any local unit of government or other source for major development of state
24 trunk and connecting highways, including the railroad and utility alteration and
25 relocation loan program under s. 84.065, and, before ~~July 1, 1995~~ October 1, 1997,

1 the disadvantaged business demonstration and training program under s. 84.076,
2 for such purposes.

3 ***-0652/1.3* SECTION 16.** 20.395 (3) (bx) of the statutes is amended to read:

4 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received
5 from the federal government for major development of state trunk and connecting
6 highways and, before ~~July 1, 1995~~ October 1, 1997, the disadvantaged business
7 demonstration and training program under s. 84.076, for such purposes.

8 ***-0652/1.4* SECTION 17.** 20.395 (3) (cq) of the statutes is amended to read:

9 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing
10 appropriation, the amounts in the schedule for improvement of existing state trunk
11 and connecting highways; for improvement of bridges on state trunk or connecting
12 highways and other bridges for which improvement is a state responsibility, for
13 necessary approach work for such bridges and for replacement of such bridges with
14 at-grade crossing improvements; for the construction and rehabilitation of the
15 national system of interstate and defense highways and bridges and related
16 appurtenances; for special maintenance activities under s. 84.04 on roadside
17 improvements; for bridges under s. 84.10; for payment to a local unit of government
18 for a jurisdictional transfer under s. 84.02 (8); and, before ~~July 1, 1995~~ October 1,
19 1997, for the disadvantaged business demonstration and training program under s.
20 84.076.

21 ***-3056/2.1* SECTION 18.** 20.395 (3) (cr) of the statutes is created to read:

22 20.395 (3) (cr) *Seasonal highway rehabilitation program, state funds.* As a
23 continuing appropriation, the amounts in the schedule for the seasonal highway
24 rehabilitation program under s. 86.307.

25 ***-0652/1.5* SECTION 19.** 20.395 (3) (cv) of the statutes is amended to read:

1 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received
2 from any local unit of government or other source for the specific information sign
3 program under s. 86.195; for improvement of existing state trunk and connecting
4 highways; for improvement of bridges on state trunk or connecting highways and
5 other bridges for which improvement is a state responsibility, for necessary approach
6 work for such bridges and for replacement of such bridges with at-grade crossing
7 improvements; for the construction and rehabilitation of the national system of
8 interstate and defense highways and bridges and related appurtenances; for special
9 maintenance activities under s. 84.04 on roadside improvements; for the railroad
10 and utility alteration and relocation loan program under s. 84.065 and, before July
11 ~~1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and training
12 program under s. 84.076, for such purposes.

13 ***-0652/1.6*** SECTION 20. 20.395 (3) (cx) of the statutes is amended to read:

14 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys
15 received from the federal government for improvement of existing state trunk and
16 connecting highways; for improvement of bridges on state trunk or connecting
17 highways and other bridges for which improvement is a state responsibility, for
18 necessary approach work for such bridges and for replacement of such bridges with
19 at-grade crossing improvements; for the construction and rehabilitation of the
20 national system of interstate and defense highways and bridges and related
21 appurtenances; for special maintenance activities under s. 84.04 on roadside
22 improvements and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged
23 business demonstration and training program under s. 84.076, for such purposes.

24 ***-0652/1.7*** SECTION 21. 20.395 (3) (eq) of the statutes is amended to read:

1 20.395 (3) (eq) *Highway maintenance, repair and traffic operations, state*
2 *funds.* Biennially, the amounts in the schedule for the maintenance and repair of
3 roadside improvements under s. 84.04, state trunk highways under s. 84.07 and
4 bridges that are not on the state trunk highway system under s. 84.10; for highway
5 operations such as permit issuance, pavement marking, highway signing, traffic
6 signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27
7 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business
8 demonstration and training program under s. 84.076. This paragraph does not apply
9 to special maintenance activities under s. 84.04 on roadside improvements.

10 ***-0652/1.8*** **SECTION 22.** 20.395 (3) (ev) of the statutes is amended to read:

11 20.395 (3) (ev) *Highway maintenance, repair and traffic operations, local*
12 *funds.* All moneys received from any local unit of government or other sources for
13 the maintenance and repair of roadside improvements under s. 84.04, state trunk
14 highways under s. 84.07 and bridges that are not on the state trunk highway system
15 under s. 84.10; for signing under s. 86.195; for highway operations such as permit
16 issuance, pavement marking, highway signing, traffic signalization and highway
17 lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; and, before
18 ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and
19 training program under s. 84.076; for such purposes. This paragraph does not apply
20 to special maintenance activities under s. 84.04 on roadside improvements.

21 ***-0652/1.9*** **SECTION 23.** 20.395 (3) (ex) of the statutes is amended to read:

22 20.395 (3) (ex) *Highway maintenance, repair and traffic operations, federal*
23 *funds.* All moneys received from the federal government for the maintenance and
24 repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07
25 and bridges that are not on the state trunk highway system under s. 84.10; for

1 highway operations such as permit issuance, pavement marking, highway signing,
2 traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25
3 to 348.27 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged
4 business demonstration and training program under s. 84.076; for such purposes.
5 This paragraph does not apply to special maintenance activities under s. 84.04 on
6 roadside improvements.

7 ***-3069/1* SECTION 24.** 20.395 (3) (iq) of the statutes is amended to read:

8 20.395 (3) (iq) *Administration and planning, state funds.* The amounts in the
9 schedule for the administration and planning of departmental programs by the
10 division of highways and transportation services under subs. (1) to (3) and for
11 activities related to railroad regulation under chs. 190 to 195.

12 ***-3069/1* SECTION 25.** 20.395 (3) (iv) of the statutes is amended to read:

13 20.395 (3) (iv) *Administration and planning, local funds.* All moneys received
14 from any local unit of government or other source for the administration and
15 planning of departmental programs by the division of highways and transportation
16 services under subs. (1) to (3), for such purposes.

17 ***-3069/1* SECTION 26.** 20.395 (3) (ix) of the statutes is amended to read:

18 20.395 (3) (ix) *Administration and planning, federal funds.* All moneys
19 received from the federal government for the administration and planning of
20 departmental programs by the division of highways and transportation services
21 under subs. (1) to (3) and for activities related to railroad regulation under chs. 190
22 to 195, for such purposes.

23 ***-3009/2.3* SECTION 27.** 20.505 (1) (md) of the statutes is amended to read:

24 20.505 (1) (md) *Oil overcharge restitution funds.* All federal moneys received
25 as oil overcharge funds, as defined in s. 14.065 (1), for expenditure under proposals

1 approved by the joint committee on finance under s. 14.065 and for transfers under
2 ~~1993 Wisconsin Act 16, section 9201 (1z).~~

3 ***-2196/3.1* SECTION 28.** 20.566 (1) (u) of the statutes is amended to read:

4 20.566 (1) (u) (title) *Motor fuel tax and oil company franchise fee*
5 *administration.* From the transportation fund, the amounts in the schedule to cover
6 the costs, including data processing costs, incurred in administering the motor fuel
7 tax law, except s. 341.45, and the oil company franchise fee law.

8 ***-2199/4.1* SECTION 29.** 20.866 (2) (uv) of the statutes is amended to read:

9 20.866 (2) (uv) *Transportation, harbor improvements.* From the capital
10 improvement fund, a sum sufficient for the department of transportation to provide
11 grants for harbor improvements. The state may contract public debt in an amount
12 not to exceed ~~\$9,000,000~~ \$12,000,000 for this purpose.

13 ***-2194/3.2* SECTION 30.** 20.866 (2) (uw) of the statutes is amended to read:

14 20.866 (2) (uw) *Transportation; rail acquisitions and improvements.* From the
15 capital improvement fund, a sum sufficient for the department of transportation to
16 acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and
17 loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d);
18 ~~and to credit the appropriation account under s. 20.395 (2) (bt) as reimbursement for~~
19 ~~initial temporary funding of acquisitions, grants or loans authorized under 1993~~
20 ~~Wisconsin Act 16, section 9154 (4n).~~ The state may contract public debt in an amount
21 not to exceed ~~\$10,000,000~~ \$14,500,000 for these purposes.

22 ***-2196/3.2* SECTION 31.** 25.40 (1) (a) 3. of the statutes is amended to read:

23 25.40 (1) (a) 3. Revenues collected under s. 341.25 or ch. 140 that are pledged
24 to the fund created under s. 84.59 (2).

1 ***-2220/2* SECTION 32.** 32.05 (8) (a) of the statutes is repealed and recreated
2 to read:

3 32.05 (8) (a) In this subsection:

4 1. "Comparable replacement business" has the meaning given in s. 32.19 (2) (c).

5 2. "Condemnor" has the meaning given in s. 32.185.

6 ***-2220/2* SECTION 33.** 32.05 (8) (c) of the statutes is amended to read:

7 32.05 (8) (c) The condemnor may not require the persons who occupied the
8 premises on the date that title vested in the condemnor to vacate until a comparable
9 replacement property is made available, except that whenever a business is
10 condemned for transportation purposes, the condemnor may require the persons
11 who occupied the business on the date that title vested in the condemnor to vacate
12 without providing a comparable replacement business. This paragraph does not
13 apply to any person who waives his or her right to receive relocation benefits or
14 services under s. 32.197 or who is not a displaced person, as defined under s. 32.19
15 (2) (e), unless the acquired property is part of a program or project receiving federal
16 financial assistance.

17 ***-2220/2* SECTION 34.** 32.25 (2) (b) of the statutes is amended to read:

18 32.25 (2) (b) Assist owners of displaced business concerns ~~and farm operations~~
19 in obtaining and becoming established in suitable replacement business locations ~~or~~
20 ~~replacement farms,~~ except that whenever a condemnor intends to condemn a
21 business for transportation purposes, the condemnor is not required to identify
22 specific locations in the plan.

23 ***-2220/2* SECTION 35.** 32.25 (2) (c) of the statutes is amended to read:

1 32.25 (2) (c) Assist displaced owners or renters in the location of comparable
2 dwellings and assist persons displaced from farm operations in the location of
3 comparable replacement farm operations.

4 *-1289/2.1* **SECTION 36.** 70.337 (7) of the statutes is amended to read:

5 70.337 (7) This section does not apply to property that is exempt under s. 70.11
6 (13), (13m), (15), (15m), (21) or (30), property that is exempt under s. 70.11 (18) if a
7 payment in lieu of taxes is made for that property, lake beds owned by the state, state
8 forests under s. 28.03 or 28.035, county forests under s. 28.10, property acquired by
9 the department of transportation under s. 85.08 (2) (L) or 85.09 or highways, as
10 defined in s. 340.01 (22).

11 *-2196/3.3* **SECTION 37.** 73.01 (4) (a) of the statutes is amended to read:

12 73.01 (4) (a) Subject to the provisions for judicial review contained in s. 73.015,
13 the commission shall be the final authority for the hearing and determination of all
14 questions of law and fact arising under sub. (5) and s. 72.86 (4), 1985 stats., and ss.
15 70.11 (21), 70.38 (4) (a), 70.397, 70.64, 70.995 (8), 76.38 (12) (a), 76.39 (4) (c), 76.48
16 (6), 77.26 (3), 77.59 (6) (b), 78.01, 78.22, 78.40, 78.555, 139.02, 139.03, 139.06, 139.31,
17 139.315, 139.33, 139.76 and 139.78, subch. XIV of ch. 71 and, subch. VII of ch. 77 and
18 ch. 140. Whenever with respect to a pending appeal there is filed with the
19 commission a stipulation signed by the department of revenue and the adverse party,
20 under s. 73.03 (25), agreeing to an affirmance, modification or reversal of the
21 department's position with respect to some or all of the issues raised in the appeal,
22 the commission shall enter an order affirming or modifying in whole or in part, or
23 canceling the assessment appealed from, or allowing in whole or in part or denying
24 the petitioner's refund claim, as the case may be, pursuant to and in accordance with
25 the stipulation filed. No responsibility shall devolve upon the commission,

1 respecting the signing of an order of dismissal as to any pending appeal settled by
2 the department without the approval of the commission.

3 ***-1054/3.1* SECTION 38.** 78.005 (13g) of the statutes is created to read:

4 78.005 (13g) "Recreational motorboat" means a motorboat used predominately
5 for entertainment, amusement or recreation, whether or not it is used in a trade or
6 business.

7 ***-1054/3.2* SECTION 39.** 78.01 (2) (e) of the statutes is amended to read:

8 78.01 (2) (e) Gasoline sold for nonhighway use other than use in a snowmobile,
9 an all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or
10 a recreational motorboat or in mobile machinery and equipment and delivered
11 directly into the consumer's storage tank in an amount of not less than 100 gallons.

12 ***-1054/3.3* SECTION 40.** 78.01 (2m) (f) of the statutes is amended to read:

13 78.01 (2m) (f) It is sold for off-highway use other than use in a snowmobile, an
14 all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or a
15 recreational motorboat if no claim for a refund for the tax on the diesel fuel may be
16 made under s. 78.75 (1m) (a) 3.

17 ***-1054/3.4* SECTION 41.** 78.40 (1) of the statutes is amended to read:

18 78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate
19 determined under s. 78.405 is imposed on the use of alternate fuels. The tax, with
20 respect to all alternate fuel delivered by an alternate fuel dealer into supply tanks
21 of motor vehicles in this state, attaches at the time of delivery and shall be collected
22 by the dealer from the alternate fuels user and shall be paid to the department. The
23 tax, with respect to alternate fuels acquired by any alternate fuels user other than
24 by delivery by an alternate fuel dealer into a fuel supply tank of a motor vehicle, or
25 of a snowmobile, an all-terrain vehicle that is not registered for private use under

1 s. 23.33 (2) (d) or a recreational motorboat, attaches at the time of the use of the fuel
2 and shall be paid to the department by the user. The department may permit any
3 supplier of alternate fuels to report and pay to the department the tax on alternate
4 fuels delivered into the storage facility of an alternate fuels user or retailer which will
5 be consumed for alternate fuels tax purposes or sold at retail.

6 ***-1054/3.5* SECTION 42.** 78.75 (1m) (a) 2. of the statutes is amended to read:

7 78.75 (1m) (a) 2. A person who uses motor vehicle fuel or an alternate fuel upon
8 which has been paid the tax required under this chapter for the purpose of operating
9 a snowmobile, as defined under s. 340.01 (58a), an aircraft, as defined under s. 78.55
10 (2), or a motorboat, as defined under s. 30.50 (6), unless the motorboat is ~~exempt from~~
11 ~~registration as a motor vehicle under s. 341.05 (20)~~ not a recreational motorboat, may
12 not be reimbursed or repaid the amount of tax paid.

13 ***-1054/3.6* SECTION 43.** 78.75 (1m) (a) 3. of the statutes is amended to read:

14 78.75 (1m) (a) 3. Claims under subd. 1 shall be made and filed upon forms
15 prescribed and furnished by the department. The forms shall indicate that refunds
16 are not available for motor vehicle fuel or alternate fuels used for motorboats, except
17 motorboats exempt from registration as motor vehicles under s. 341.05 (20) and
18 recreational motorboats, or motor vehicle fuel or alternate fuels used for
19 snowmobiles and that the estimated snowmobile motor vehicle fuel or alternate fuels
20 tax payments are used for snowmobile trails and areas. The forms shall indicate that
21 refunds are not available for motor vehicle fuel or alternate fuels used for all-terrain
22 vehicles unless the all-terrain vehicle is registered for private use under s. 23.33 (2)
23 (d) and shall indicate that estimated all-terrain vehicle motor vehicle fuel or
24 alternate fuels tax payments are used for all-terrain vehicle trails and areas. The
25 forms shall also indicate that refunds are not available for the tax on less than 100

1 gallons. The department shall distribute forms in sufficient quantities to each
2 county clerk.

3 ***-0653/2.2* SECTION 44.** 84.01 (30) of the statutes is created to read:

4 84.01 (30) ENVIRONMENTAL CLEAN-UP ACTIVITIES. From the appropriation under
5 s. 20.395 (3) (aq), the department may fund environmental clean-up activities on
6 lands acquired by the department that are not eligible to receive funding for such
7 activities as part of a highway improvement project. Nothing in this subsection
8 relieves a person from any responsibility to reimburse the department for any costs
9 incurred by the department under this subsection.

10 ***-3079/2.1* SECTION 45.** 84.013 (3) (kb) to (km) of the statutes are created to
11 read:

12 84.013 (3) (kb) USH 151 extending approximately 18.2 miles between USH 151
13 west of Belmont and STH 23 south of Dodgeville, designated as the Belmont to
14 Dodgeville project, in Lafayette and Iowa counties.

15 (kg) STH 16 and STH 16/67 extending approximately 7.4 miles from the
16 junction of STH 16 with the Rock River to the STH 16/67 interchange east of
17 Oconomowoc, designated as the Oconomowoc bypass, in Jefferson and Waukesha
18 counties.

19 (km) USH 53 extending approximately 7.5 miles between USH 53 south of the
20 USH 53/STH 93 interchange in Eau Claire and the USH 53/STH 124 interchange
21 south of Chippewa Falls, designated as the Eau Claire freeway, in Eau Claire and
22 Chippewa counties.

23 ***-3079/2.2* SECTION 46.** 84.013 (3) (ye) of the statutes is amended to read:

24 84.013 (3) (ye) USH 10 between Appleton and Marshfield, in Winnebago,
25 Outagamie, Waupaca, Portage and Wood counties.

1 ***-0652/1.10* SECTION 47.** 84.076 (5) of the statutes is amended to read:

2 84.076 (5) SUNSET. This section does not apply after ~~June 30, 1995~~ September
3 30, 1997.

4 ***-2196/3.4* SECTION 48.** 84.59 (2) of the statutes is amended to read:

5 84.59 (2) The department may, under s. 18.56 (5) and (9) (j), deposit in a
6 separate and distinct fund outside the state treasury, in an account maintained by
7 a trustee, revenues derived under s. 341.25 and ch. 140. The revenues deposited are
8 the trustee's revenues in accordance with the agreement between this state and the
9 trustee or in accordance with the resolution pledging the revenues to the repayment
10 of revenue obligations issued under this section.

11 ***-2189/2.1* SECTION 49.** 84.59 (6) of the statutes is amended to read:

12 84.59 (6) Revenue obligations may be contracted by the building commission
13 when it reasonably appears to the building commission that all obligations incurred
14 under this section can be fully paid from moneys received or anticipated and pledged
15 to be received on a timely basis. Revenue obligations issued under this section shall
16 not exceed ~~\$950,834,000~~ \$1,074,514,500 in principal amount, excluding obligations
17 issued to refund outstanding revenue obligations. Not more than ~~\$841,634,000~~
18 \$1,031,634,300 of the ~~\$950,834,000~~ \$1,074,514,500 may be used for transportation
19 facilities under s. 84.01 (28) and major highway projects under ss. 84.06 and 84.09.

20 ***-2194/3.3* SECTION 50.** 85.08 (4m) (e) 1. of the statutes is amended to read:

21 85.08 (4m) (e) 1. Upon the request of an eligible applicant, the department may
22 negotiate and enter into a loan agreement with the eligible applicant for purposes
23 of rehabilitating a rail line or to finance an economic development and transportation
24 efficiency project, including a project designed to promote safety or the viability of
25 a statewide system of freight rail service, to assist intermodal freight movement or

1 to provide industry access to a rail line. A loan made under this paragraph shall
2 finance a project that confers a public benefit or enhances economic development in
3 this state. Loans made under this paragraph shall be paid from the appropriation
4 under s. 20.395 (2) ~~(bt)~~, (bu), (bw) or (bx).

5 ***-2201/5.5* SECTION 51.** 85.20 (4m) (a) of the statutes is renumbered 85.20
6 (4m) (a) (intro.) and amended to read:

7 85.20 **(4m)** (a) (intro.) ~~From the amounts appropriated under s. 20.395 (1) (bq),~~
8 ~~an amount equal to 42% of the projected operating expenses of each eligible~~
9 ~~applicant's urban mass transit system~~ An amount shall be allocated to each eligible
10 applicant. to ensure that the sum of state and federal aids for the projected operating
11 expenses of each eligible applicant's urban mass transit system is equal to a uniform
12 percentage, established by the department, of the projected operating expenses of
13 the mass transit system. The department shall make allocations as follows:

14 ***-2201/5.6* SECTION 52.** 85.20 (4m) (a) 1. to 3. of the statutes are created to
15 read:

16 85.20 **(4m)** (a) 1. From the appropriation under s. 20.395 (1) (bq), the uniform
17 percentage for an urban mass transit system operating within an urban area having
18 a population as shown in the 1990 federal decennial census of less than 50,000.

19 2. From the appropriation under s. 20.395 (1) (bs), the uniform percentage for
20 an urban mass transit system operating within an urban area having a population
21 as shown in the 1990 federal decennial census of at least 50,000 but not more than
22 200,000 and meeting the federal definition of urbanized area for the purpose of
23 federal mass transit aid.

24 3. From the appropriation under s. 20.395 (1) (bu), the uniform percentage for
25 an urban mass transit system operating within an urban area having a population

1 as shown in the 1990 federal decennial census of more than 200,000 and meeting
2 the federal definition of urbanized area for the purpose of federal mass transit aid.

3 ***-2201/5.7* SECTION 53.** 85.20 (4m) (am) of the statutes is repealed.

4 ***-2197/2.1* SECTION 54.** 85.20 (4m) (b) 2. of the statutes is renumbered 85.20
5 (4m) (b) 2. (intro.) and amended to read:

6 85.20 (4m) (b) 2. (intro.) ~~Subdivision 1 does not apply to an~~ An eligible applicant
7 that is served exclusively by a shared-ride taxicab system; shall provide a local
8 contribution, exclusive of user fees, toward operating expenses in an amount equal
9 to the following percentages of state aid allocations to that eligible applicant under
10 this section:

11 ***-2197/2.2* SECTION 55.** 85.20 (4m) (b) 2. a. to d. of the statutes are created to
12 read:

13 85.20 (4m) (b) 2. a. At least 5% for calendar year 1996.

14 b. At least 10% for calendar year 1997.

15 c. At least 15% for calendar year 1998.

16 d. At least 20% for calendar year 1999 and for each calendar year thereafter.

17 ***-2201/5.8* SECTION 56.** 85.20 (4m) (e) of the statutes is repealed.

18 ***-2201/5.9* SECTION 57.** 85.20 (4m) (em) 1. of the statutes is amended to read:

19 85.20 (4m) (em) 1. An amount equal to ~~42%~~ the same percentage of the audited
20 operating expenses for the project year of the applicant's urban mass transit system
21 that is specified for allocations to the applicant under par. (a) 1. to 3.

22 ***-2201/5.10* SECTION 58.** 85.20 (4s) of the statutes is amended to read:

23 85.20 (4s) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed
24 between the department and eligible applicants under this section shall provide that
25 the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the

1 state's fiscal year shall be provided from the following fiscal year's appropriation
2 under s. 20.395 (1) (bq), (bs) or (bu).

3 ***-2201/5.11* SECTION 59.** 85.20 (7) of the statutes is created to read:

4 85.20 (7) COST-EFFICIENCY STANDARDS. (a) The department shall establish
5 cost-efficiency standards for the urban mass transit system specified in sub. (4m) (a)
6 1. to 3. The contracts executed between the department and eligible applicants
7 under this section for any period beginning on or after January 1, 1997, shall provide
8 that the department may do any of the following if costs are incurred by the eligible
9 applicant's urban mass transit system which are inconsistent with the standards
10 established under this subsection:

11 1. Exclude those costs from operating expenses for purposes of sub. (4m).

12 2. Reduce the amount of state aid allocation under sub. (4m) (a).

13 (b) The department shall specify by rule the cost-efficiency standards under
14 this subsection, including rules for the implementation of par. (a) 1. and 2.

15 ***-2201/5.12* SECTION 60.** 85.24 (3) (d) (intro.) of the statutes is amended to
16 read:

17 85.24 (3) (d) (intro.) The department may award grants from the appropriation
18 under s. 20.395 (1) (~~bs~~) (ds) to public and private organizations for the development
19 and implementation of demand management and ride-sharing programs. As a
20 condition of obtaining a grant under this paragraph, a public or private organization
21 may be required to provide matching funds at any percentage. The department shall
22 give priority in the awarding of grants to those programs that provide the greatest
23 reduction in automobile trips, especially during peak hours of traffic congestion. The
24 department shall have all powers necessary and convenient to implement this
25 paragraph, including the following powers:

1 *-2217/3.1* **SECTION 61.** 85.243 (title) of the statutes is amended to read:

2 **85.243** (title) **Surface transportation discretionary grants projects**
3 **program.**

4 *-2217/3.2* **SECTION 62.** 85.243 (2) (a) of the statutes is amended to read:

5 85.243 (2) (a) The department shall administer a surface transportation
6 ~~discretionary grants projects~~ program to promote the development and
7 implementation of surface transportation projects that foster the diverse
8 transportation needs of the people of this state. Annually, the department may make
9 grants to eligible applicants and other state agencies for surface transportation
10 projects that promote nonhighway use or that otherwise supplement existing
11 transportation activities. A grant may not exceed 80% of the total cost of a project.

12 The department shall give priority to funding projects that foster alternatives to
13 single-occupancy automobile trips. In deciding whether to award a grant under this
14 section, the department may consider whether other funding sources are available
15 for the proposed project.

16 *-2217/3.3* **SECTION 63.** 85.243 (2) (b) 5. of the statutes is created to read:

17 85.243 (2) (b) 5. To conduct a project.

18 *-2203/2.1* **SECTION 64.** 85.26 (2) (a) of the statutes is renumbered 85.26 (2)
19 (a) (intro.) and amended to read:

20 85.26 (2) (a) (intro.) "Eligible applicant" means a an applicant that provides
21 employment, training or job placement services in a county with a population of
22 500,000 or more and which is one of the following:

23 1. A local public body or a private organization, which is located in the county.

24 *-2203/2.2* **SECTION 65.** 85.26 (2) (a) 2. of the statutes is created to read:

25 85.26 (2) (a) 2. Two or more state agencies coordinating such services.

1 ***-2280/3.4* SECTION 66.** 86.30 (1) (f) of the statutes is amended to read:

2 86.30 (1) (f) "Statewide municipal average cost-sharing percentage" means a
3 factor determined for municipalities receiving aid under sub. (2) (a) 2. a. by which
4 multiyear average costs under s. 86.303 are multiplied to fully distribute the
5 amounts specified in sub. (9) (c) for the purpose of determining the share of costs.

6 ***-2280/3.5* SECTION 67.** 86.30 (2) (a) 1. of the statutes is amended to read:

7 86.30 (2) (a) 1. Except as provided in pars. (b), (d) and (dm) and s. 86.303, the
8 amount of transportation aids payable by the department to each county, city or
9 village shall be the aids amount calculated under subd. 2. and to each municipality
10 town shall be the aids amount calculated under subd. 2. or 3., whichever is greater.

11 ***-2280/3.6* SECTION 68.** 86.30 (2) (a) 3. (intro.) of the statutes is amended to
12 read:

13 86.30 (2) (a) 3. (intro.) For each mile of road or street under the jurisdiction of
14 a municipality town as determined under s. 86.302, the mileage aid payment shall
15 be an amount equal to the following:

16 ***-2280/3.7* SECTION 69.** 86.30 (2) (a) 3. c. of the statutes is repealed.

17 ***-2280/3.8* SECTION 70.** 86.30 (2) (a) 3. d. of the statutes is repealed.

18 ***-2280/3.9* SECTION 71.** 86.30 (2) (a) 3. e. of the statutes is created to read:

19 86.30 (2) (a) 3. e. In calendar year 1996, \$1,415.

20 ***-2280/3.10* SECTION 72.** 86.30 (2) (a) 3. f. of the statutes is created to read:

21 86.30 (2) (a) 3. f. In calendar year 1997 and thereafter, \$1,480.

22 ***-2280/3.11* SECTION 73.** 86.30 (2) (b) 1g. of the statutes is amended to read:

23 86.30 (2) (b) 1g. Except as provided under par. (d) and s. 86.303 (5), no
24 municipality town whose aid is determined under par. (a) 3. may receive a decrease

1 in its annual transportation aid payment in excess of 5% of its last previous calendar
2 year transportation aid payment.

3 ***-2280/3.12* SECTION 74.** 86.30 (2) (b) 2. of the statutes is amended to read:

4 86.30 (2) (b) 2. The last previous calendar year aid payment to a ~~municipality~~
5 town whose aid is determined under par. (a) 3. is adjusted in proportion to changes
6 in the mileage under the jurisdiction of the ~~municipality~~ town before an adjustment
7 under subd. 1g. is made.

8 ***-2280/3.13* SECTION 75.** 86.30 (2) (d) of the statutes is amended to read:

9 86.30 (2) (d) *Aid limitation based on reported costs.* No ~~municipality~~ town may
10 be paid an amount under this section greater than 85% of its 3-year average costs.

11 ***-2280/3.14* SECTION 76.** 86.30 (2) (e) of the statutes is amended to read:

12 86.30 (2) (e) *Aid payments.* Local transportation aids under this section shall
13 be calculated and distributed on the basis of a calendar year. Local transportation
14 aids shall be paid in 4 equal instalments on the first Monday in January, April, July
15 and October. If adjustments are necessary, the department may adjust any of the
16 scheduled aid payments in a calendar year. The payments shall be made from the
17 appropriation under s. 20.395 (1) (as) ~~or~~, (at) or (au) for the fiscal year in which the
18 payments are made.

19 ***-2280/3.15* SECTION 77.** 86.30 (9) (b) of the statutes is renumbered 86.30 (9)
20 (b) (intro.) and amended to read:

21 86.30 (9) (b) (intro.) For the purpose of calculating and distributing aids under
22 sub. (2), the amounts for aids to counties are ~~\$63,392,900 in calendar year 1994 and~~
23 ~~\$66,588,900 in calendar year 1995 and thereafter.~~ These amounts specified in this
24 paragraph, to the extent practicable, shall be used to determine the statewide county

1 average cost-sharing percentage in the particular calendar year. The amounts for
2 aids to counties under sub. (2) (a) 2. b. shall be as follows:

3 ***-2280/3.16* SECTION 78.** 86.30 (9) (b) 1. and 2. of the statutes are created to
4 read:

5 86.30 (9) (b) 1. In calendar year 1996, \$71,030,000.

6 2. In calendar year 1997 and thereafter, \$75,917,700.

7 ***-2280/3.17* SECTION 79.** 86.30 (9) (c) of the statutes is renumbered 86.30 (9)
8 (c) (intro.) and amended to read:

9 86.30 (9) (c) (intro.) For the purpose of calculating and distributing aids under
10 sub. (2), the amounts for aids to municipalities are ~~\$197,814,700 in calendar year~~
11 ~~1994 and \$209,496,900 in calendar year 1995 and thereafter.~~ ~~These amounts~~
12 specified in this paragraph, to the extent practicable, shall be used to determine the
13 statewide municipal average cost-sharing percentage in the particular calendar
14 year. The amounts for aids to municipalities under sub. (2) (a) 2. a. shall be as follows:

15 ***-2280/3.18* SECTION 80.** 86.30 (9) (c) 1. and 2. of the statutes are created to
16 read:

17 86.30 (9) (c) 1. In calendar year 1996, \$141,463,000.

18 2. In calendar year 1997 and thereafter, \$151,271,300.

19 ***-2280/3.19* SECTION 81.** 86.30 (9) (d) of the statutes is created to read:

20 86.30 (9) (d) For the purpose of calculating and distributing aids under sub. (2),
21 the amounts for aids to towns under sub. (2) (a) 3. shall be as follows:

22 1. In calendar year 1996, \$80,236,900.

23 2. In calendar year 1997 and thereafter, \$82,267,900.

24 ***-3056/2.2* SECTION 82.** 86.307 of the statutes is created to read:

1 **86.307 Seasonal highway rehabilitation program.** The department shall
2 administer a seasonal highway rehabilitation program to rehabilitate highways in
3 the northern portion of the state on which any weight limitation as provided in s.
4 348.17 (1) applies. Projects under this section shall be funded from the appropriation
5 under s. 20.395 (3) (cr).

6 ***-3023/1.1* SECTION 83.** 86.31 (3m) of the statutes is amended to read:

7 86.31 **(3m)** TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395
8 (2) (fr), the department shall allocate ~~\$500,000~~ \$1,000,000 in each fiscal year to fund
9 town road improvements with eligible costs totaling \$100,000 or more. The funding
10 of improvements under this subsection is in addition to the allocation of funds for
11 entitlements under sub. (3).

12 ***-1531/4.1* SECTION 84.** 110.08 (2) of the statutes is amended to read:

13 110.08 **(2)** Except as provided under s. 343.16 (1) (b) and (c), all examinations
14 for operator's licenses and permits shall be given by state examiners.

15 ***-2192/3.1* SECTION 85.** 114.002 (4) of the statutes is repealed.

16 ***-2192/3.2* SECTION 86.** 114.002 (11) of the statutes is amended to read:

17 114.002 **(11)** "Antique aircraft" means an aircraft ~~more than 35 years old as~~
18 ~~determined by the~~ which has a date of manufacture of 1944 or earlier and which is
19 used solely for recreational or display purposes.

20 ***-2192/3.3* SECTION 87.** 114.002 (13) of the statutes is repealed.

21 ***-2192/3.4* SECTION 88.** 114.20 (1) (title) of the statutes is amended to read:

22 114.20 **(1)** (title) ~~ANNUAL~~ REGISTRATION REQUIRED.

23 ***-2192/3.5* SECTION 89.** 114.20 (1) (a) of the statutes is amended to read:

24 114.20 **(1)** (a) Except as provided under sub. (2), all aircraft based in this state
25 shall be registered by the owner of the aircraft with the department annually on or

1 before November 1 or, for aircraft with a maximum gross weight of not more than
2 3,000 pounds that are not subject to sub. (10), biennially on or before the first
3 November 1. Annual registration fees shall be determined in accordance with sub.
4 (9) or (10). Biennial registration fees shall be determined in accordance with sub.
5 (9m).

6 ***-2192/3.6* SECTION 90.** 114.20 (1) (b) of the statutes is amended to read:

7 114.20 (1) (b) Aircraft determined by the department to be based in this state
8 shall be subject to the annual or biennial registration fees under sub. (9) or (9m).
9 Aircraft which are determined to be not based in this state shall be exempt from the
10 annual or biennial registration fees.

11 ***-2192/3.7* SECTION 91.** 114.20 (2) (intro.) of the statutes is amended to read:

12 114.20 (2) (title) EXCEPTIONS TO ANNUAL REGISTRATION REQUIREMENTS. (intro.)
13 The ~~annual~~ registration requirements under sub. (1) do not apply to aircraft based
14 in this state that are:

15 ***-2192/3.8* SECTION 92.** 114.20 (2) (c) of the statutes is repealed.

16 ***-2192/3.10* SECTION 93.** 114.20 (5) of the statutes is amended to read:

17 114.20 (5) UNAIRWORTHY AIRCRAFT. Any person desiring to have an aircraft
18 designated as an unairworthy aircraft may apply to the department in the manner
19 the department prescribes. No application may be acted upon unless all information
20 requested is supplied. Upon receipt of an application and a registration fee of \$5 to
21 be established by rule and after determining from the facts submitted and
22 investigation that the aircraft qualifies as an unairworthy aircraft, the department
23 shall issue an unairworthy aircraft certificate. The certificate shall expire upon
24 transfer of ownership or restoration. An aircraft is presumed restored if it is capable
25 of operation. The annual registration fee is due on the date of restoration. Operation

1 of the aircraft is conclusive evidence of restoration. ~~An additional administrative fee~~
2 of \$5 A late payment charge to be established by rule shall be charged assessed on
3 all applications filed later than 30 days after the date of restoration.

4 ***-2192/3.9* SECTION 94.** 114.20 (5) of the statutes, as affected by 1995
5 Wisconsin Act (this act), is repealed and recreated to read:

6 114.20 (5) UNAIRWORTHY AIRCRAFT. Any person desiring to have an aircraft
7 designated as an unairworthy aircraft may apply to the department in the manner
8 the department prescribes. No application may be acted upon unless all information
9 requested is supplied. Upon receipt of an application and a registration fee to be
10 established by rule and after determining from the facts submitted and investigation
11 that the aircraft qualifies as an unairworthy aircraft, the department shall issue an
12 unairworthy aircraft certificate. The certificate shall expire upon transfer of
13 ownership or restoration. An aircraft is presumed restored if it is capable of
14 operation. The annual or biennial registration fee is due on the date of restoration.
15 Operation of the aircraft is conclusive evidence of restoration. A late payment charge
16 to be established by rule shall be assessed on all applications filed later than 30 days
17 after the date of restoration.

18 ***-2192/3.11* SECTION 95.** 114.20 (7) of the statutes is repealed.

19 ***-2192/3.12* SECTION 96.** 114.20 (9) (a) to (c) of the statutes are renumbered
20 114.20 (9m) (a) to (c) and amended to read:

21	114.20 (9m) (a) Not more than	2,000	\$ 30 <u>\$ 60</u>
22	(b) Not more than	2,500	39 <u>78</u>
23	(c) Not more than	3,000	50 <u>100</u>

24 ***-2192/3.13* SECTION 97.** 114.20 (9) (d) of the statutes is amended to read:

25	114.20 (9) (d) Not more than	3,500	70 <u>\$ 70</u>
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1 ***-2192/3.14*** **SECTION 98.** 114.20 **(9m)** (intro.) of the statutes is created to read:

2 114.20 **(9m)** (title) BIENNIAL REGISTRATION FEES. (intro.) Except as provided in
3 sub. (10), the owner of an aircraft subject to the biennial registration requirements
4 under sub. (1) shall pay a biennial registration fee established in accordance with the
5 following gross weight schedule:

6	[Maximum gross	[Annual
7	Weight in pounds]	fee]

8 ***-2192/3.15*** **SECTION 99.** 114.20 (12) of the statutes is amended to read:

9 114.20 **(12)** (title) INITIAL ANNUAL REGISTRATION. For new aircraft, aircraft not
10 previously registered in this state or unregistered aircraft for which annual
11 registration is required under sub. (9), the fee for the initial year of registration shall
12 be computed from the date of purchase, restoration, completed construction or entry
13 of the aircraft into this state on the basis of one-twelfth of the registration fee
14 specified in sub. (9) multiplied by the remaining number of months in the current
15 registration year which are not fully expired. For new aircraft, aircraft not
16 previously registered in this state or unregistered aircraft for which biennial
17 registration is required under sub. (9m), the fee for the initial 2-year period of
18 registration shall be computed from the date of purchase, restoration, completed
19 construction or entry of the aircraft into this state on the basis of one twenty-fourth
20 of the registration fee specified in sub. (9m) multiplied by the remaining number of
21 months in the current 2-year registration period which are not fully expired.
22 Application for registration shall be filed within 30 days from the date of purchase,
23 restoration, completed construction or entry of the aircraft into this state and if filed
24 after that date an additional administrative fee of \$5 shall be charged. If the date
25 of purchase, restoration, completed construction or entry into this state is not

1 provided by the applicant, the full annual or biennial registration fee provided in sub.
2 (9) or (9m) shall be charged for registering the aircraft.

3 ***-2192/3.17* SECTION 100.** 114.20 (13) (b) 1. of the statutes is amended to read:

4 114.20 (13) (b) 1. If an annual registration fee is not paid by November 1, from
5 November 2 to April 30, the department shall add a late payment charge of \$50 or
6 10% of the amount specified for the registration under sub. (9) or (10), whichever is
7 greater, to the fee.

8 ***-2192/3.16* SECTION 101.** 114.20 (13) (b) 1. of the statutes, as affected by 1995
9 Wisconsin Act (this act), is repealed and recreated to read:

10 114.20 (13) (b) 1. If an annual or biennial registration fee is not paid by
11 November 1, from November 2 to the following April 30, the department shall add
12 a late payment charge of \$50 or 10% of the amount specified for the registration
13 under sub. (9), (9m) or (10), whichever is greater, to the fee.

14 ***-2192/3.19* SECTION 102.** 114.20 (13) (b) 2. of the statutes is amended to read:

15 114.20 (13) (b) 2. If an annual registration fee is not paid by April 30, from May
16 1 to October 31, the department shall add a late payment charge of \$50 or 20% of the
17 amount specified for the registration under sub. (9) or (10), whichever is greater, to
18 the fee.

19 ***-2192/3.18* SECTION 103.** 114.20 (13) (b) 2. of the statutes, as affected by 1995
20 Wisconsin Act (this act), is repealed and recreated to read:

21 114.20 (13) (b) 2. If an annual or biennial registration fee is not paid by the
22 following April 30, from May 1 to October 31 or, for a biennial registration, the end
23 of the biennial period, the department shall add a late payment charge of \$50 or 20%
24 of the amount specified for the registration under sub. (9), (9m) or (10), whichever
25 is greater, to the fee.

1 (2) “Consumer price index” means the consumer price index for all urban
2 consumers, U.S. city average, as determined by the U.S. department of labor.

3 (3) “Diesel fuel” has the meaning given in s. 78.005 (5).

4 (4) “Department” means the department of revenue.

5 (5) “Export” has the meaning given in s. 78.005 (6).

6 (6) “Gasoline” has the meaning given in s. 78.005 (7).

7 (7) “Indexed” means adjusted as of April 1 to reflect the percentage change in
8 the annual average consumer price index during the previous year.

9 (8) “Motor vehicle fuel” means gasoline or diesel fuel.

10 (9) “Received” means received under s. 78.07.

11 (10) “Supplier” has the meaning given under s. 78.005 (14).

12 **140.02 Imposition.** (1) Except as provided in sub. (2), there is imposed a fee
13 at the rate of 4.85% of the average weighted retail price on all motor vehicle fuel
14 received by a supplier for sale in this state, for sale for shipment to this state or for
15 shipment to this state.

16 (2) The fee imposed in sub. (1) does not apply to the following:

17 (a) Motor vehicle fuel that is shipped from storage at a refinery, marine
18 terminal, pipeline terminal, pipeline tank farm or place of manufacture to a person
19 for storage at another refinery, marine terminal, pipeline terminal, pipeline tank
20 farm or place of manufacture.

21 (b) Motor vehicle fuel that is exported by a person who is licensed under s. 78.09
22 or 140.03 (5).

23 (c) Diesel fuel that is dyed under s. 78.01 (2p).

24 **140.03 Administration.** (1) The department shall administer the fee under
25 this chapter.

1 **(2)** Sections 78.65 to 78.74 and 78.79 to 78.81 as they apply to the taxes under
2 ch. 78 apply to the fee under this chapter.

3 **(3)** Persons who are liable for the fee under this chapter shall state the number
4 of gallons of motor vehicle fuel on which the fee is due and the amount of their liability
5 for the fee in the reports under s. 78.12 (1) to (3).

6 **(4)** The requirements for payment of the motor vehicle fuel tax under s. 78.12
7 (5) apply to the fee under this chapter.

8 **(5)** No person may ship petroleum products into this state unless that person
9 either has a license under s. 78.09 or obtains an oil company franchise license from
10 the department by filing with the department an application prescribed and
11 furnished by the department and verified by the owner of the business if the owner
12 is an individual, by a member if the owner is an unincorporated association, by a
13 partner if the owner is a partnership or by the president and secretary if the owner
14 is a corporation.

15 **(6)** (a) To protect the revenues of this state, the department may require any
16 person who is liable to the department for the fee under this chapter to place with
17 it security in the amount that the department determines. The department may
18 increase or decrease the amount of the security, but that amount may not exceed 3
19 times the person's average monthly liability for the fee under this chapter as
20 estimated by the department. If any person fails to provide that security, the
21 department may refuse to issue a license under sub. (5) or s. 78.09 or may revoke the
22 person's license under sub. (5) or s. 78.09. If any taxpayer is delinquent in the
23 payment of the fee under this chapter, the department may, upon 10 days' notice,
24 recover the fee, interest, penalties, costs and disbursements from the person's
25 security. The department may not pay interest on any security deposit.

1 (b) The security required under par. (a) may be a surety bond furnished to the
2 department and payable to this state. The department shall prescribe the form and
3 contents of the bond.

4 (c) The surety of a bond under par. (b) may conditionally cancel the bond by
5 filing written notice with the person who is liable for the fee under this chapter and
6 with the department. A surety who files that notice is not discharged from any
7 liability that has accrued or from any liability that accrues within 60 days after the
8 filing. If the person who is liable for the fee under this chapter does not, within 60
9 days after receiving the notice, file with the department a new bond that is
10 satisfactory to the department, the department shall revoke the person's license
11 under sub. (5) or s. 78.09. If the person furnishes a new bond, the department shall
12 cancel and surrender the old bond when it is satisfied that all liability under the old
13 bond has been discharged.

14 (d) If the liability on the bond is discharged or reduced or if the department
15 determines that the bond is insufficient, the department shall require additional
16 surety or new bonds. If any person who is liable for the fee under this chapter fails
17 to file that additional bond within 5 days after the department provides written
18 notice, that person's license under sub. (5) or s. 78.09 is revoked.

19 ***-2975/2* SECTION 109.** 218.01 (2) (bd) 1g. of the statutes is amended to read:

20 218.01 (2) (bd) 1g. The manufacturer, distributor or importer shall send a
21 notice of discontinuation or cancellation by certified mail, and forward a copy of the
22 notice to the department, not less than 20 days before the effective date of
23 discontinuation or cancellation of the agreement, if the dealer or distributor fails to
24 conduct its customary sales and service operations during its customary business
25 hours for 7 consecutive business days unless the failure is caused by an act of God,

1 by work stoppage or delays due to strikes or labor disputes or other reason beyond
2 the dealer's or distributor's control or by an order of the department or the office of
3 ~~the commissioner of transportation~~ division of hearings and appeals.

4 ***-2975/2* SECTION 110.** 218.01 (2) (bd) 1r. of the statutes is amended to read:

5 218.01 (2) (bd) 1r. The notice served upon a motor vehicle dealer under subsd.
6 1. and 1g. is not effective unless it conspicuously displays the following statement:

7 NOTICE TO DEALER

8 YOU HAVE THE RIGHT TO: 1) MEDIATE IF YOU OPPOSE THE
9 PROPOSED TERMINATION OR NONRENEWAL OF YOUR FRANCHISE AND 2)
10 ~~A HEARING BY THE OFFICE OF THE COMMISSIONER OF TRANSPORTATION~~
11 DIVISION OF HEARINGS AND APPEALS IF MEDIATION DOES NOT RESOLVE
12 THE DISPUTE. TO PRESERVE THESE RIGHTS, YOU MUST TAKE CERTAIN
13 STEPS ON OR BEFORE THE DATE THAT THE PROPOSED TERMINATION OR
14 NONRENEWAL TAKES EFFECT. FOR FURTHER INFORMATION, CONSULT
15 YOUR ATTORNEY OR CALL THE DEALER SECTION, WISCONSIN
16 DEPARTMENT OF TRANSPORTATION, AT (insert area code and telephone
17 number).

18 ***-2975/2* SECTION 111.** 218.01 (2c) (c) of the statutes is amended to read:

19 218.01 (2c) (c) The ownership, operation or control of a dealership by a
20 manufacturer, importer or distributor, or subsidiary thereof, which does not meet the
21 conditions under par. (a) or (b), if the ~~office of the commissioner of transportation~~
22 division of hearings and appeals determines, after a hearing on the matter at the
23 request of any party, that there is no prospective independent dealer available to own
24 and operate the dealership in a manner consistent with the public interest and that

1 meets the reasonable standard and uniformly applied qualifications of the
2 manufacturer, importer or distributor.

3 ***-2975/2* SECTION 112.** 218.01 (3) (a) 24. of the statutes is amended to read:

4 218.01 (3) (a) 24. Being a manufacturer, importer or distributor who fails to
5 comply with the procedures in sub. (3x) regarding a dealer's request for approval of
6 a change of ownership or executive management, transfer of its dealership assets to
7 another person, adding another franchise at the same location as its existing
8 franchise, or relocation of a franchise or who fails to comply with an order of the office
9 of the commissioner of transportation division of hearings and appeals issued under
10 sub. (3x).

11 ***-2975/2* SECTION 113.** 218.01 (3x) (b) 2. of the statutes is amended to read:

12 218.01 (3x) (b) 2. An affected grantor who does not approve of the proposed
13 action shall, within 30 days after receiving the dealer's written notice of the proposed
14 action or within 30 days after receiving all the information specified in a written list
15 served on the dealer under subd. 1., whichever is later, file with the department and
16 serve upon the dealer a written statement of the reasons for its disapproval. The
17 reasons given for the disapproval or any explanation of those reasons by the
18 manufacturer, distributor or importer shall not subject the manufacturer,
19 distributor or importer to any civil liability unless the reasons given or explanations
20 made are malicious and published with the sole intent to cause harm to the dealer
21 or a transferee of the dealer. Failure to file and serve a statement within the
22 applicable period shall, notwithstanding the terms of any agreement, constitute
23 approval of the proposed action by the grantor. If an affected grantor files a written
24 statement within the applicable period, the dealer may not voluntarily undertake
25 the proposed action unless it receives an order permitting it to do so from the office

1 of the commissioner of transportation division of hearings and appeals under par. (c)
2 2.

3 ***-2975/2* SECTION 114.** 218.01 (3x) (b) 3. of the statutes is amended to read:

4 218.01 (3x) (b) 3. A dealer who is served with a written statement by an affected
5 grantor under subd. 2 may file with the department and the ~~office of the~~
6 ~~commissioner of transportation~~ division of hearings and appeals and serve upon the
7 affected grantor a complaint for the determination of whether there is good cause for
8 permitting the proposed action to be undertaken. The ~~office of the commissioner of~~
9 ~~transportation~~ division of hearings and appeals shall promptly schedule a hearing
10 and decide the matter. The proposed action may not be undertaken pending the
11 determination of the matter.

12 ***-2975/2* SECTION 115.** 218.01 (3x) (c) 1. (intro.) of the statutes is amended to
13 read:

14 218.01 (3x) (c) 1. (intro.) In determining if there is good cause for permitting
15 a proposed action to be undertaken, the ~~office of the commissioner of transportation~~
16 division of hearings and appeals may consider any relevant factor including:

17 ***-2975/2* SECTION 116.** 218.01 (3x) (c) 2. of the statutes is amended to read:

18 218.01 (3x) (c) 2. The decision of the ~~office of the commissioner of~~
19 ~~transportation~~ division of hearings and appeals shall be in writing and shall contain
20 findings of fact and a determination of whether there is good cause for permitting the
21 proposed action to be undertaken. The decision shall include an order that the dealer
22 be allowed or is not allowed to undertake the proposed action, as the case may be.
23 The order may require fulfillment of appropriate conditions before and after the
24 proposed action is undertaken.

25 ***-2975/2* SECTION 117.** 218.01 (7m) (a) of the statutes is amended to read:

1 218.01 (7m) (a) A licensee may not file a complaint or petition with the office
2 of the commissioner of transportation division of hearings and appeals or bring an
3 action under sub. (9) (a), based on an alleged violation of this section by any other
4 licensee or pursuant to sub. (3) (f) or (fm), (3c) or (3x), unless the licensee serves a
5 demand for mediation upon the other licensee before or contemporaneous with the
6 filing of the complaint or petition or the bringing of the action. A demand for
7 mediation shall be in writing and served upon the other licensee by certified mail at
8 an address designated for that licensee in the licensor's records. The demand for
9 mediation shall contain a brief statement of the dispute and the relief sought by the
10 licensee filing the demand.

11 *-2975/2* **SECTION 118.** 218.01 (7m) (c) of the statutes is amended to read:

12 218.01 (7m) (c) The service of a demand for mediation under par. (a) shall stay
13 the time for the filing of any complaint or petition with the office of the commissioner
14 of transportation division of hearings and appeals or for bringing an action under
15 sub. (9) (a), based on an alleged violation of this section by the other licensee or
16 pursuant to sub. (3) (f) or (fm), (3c) or (3x), until the representatives of both licensees
17 have met with a mutually selected mediator for the purpose of attempting to resolve
18 the dispute. If a complaint or petition is filed before the meeting, the office of the
19 commissioner of transportation division of hearings and appeals or the court shall
20 enter an order suspending the proceeding or action until the meeting has occurred
21 and may, upon the written stipulation of all parties to the proceeding or action that
22 they wish to continue to mediate under this subsection, enter an order suspending
23 the proceeding or action for as long a period as the commissioner of transportation
24 division of hearings and appeals or court considers to be appropriate. A suspension
25 order issued under this paragraph may be revoked upon motion of any party or upon

1 motion of the ~~office of the commissioner of transportation~~ division of hearings and
2 appeals or the court.

3 ***-1531/4.3* SECTION 119.** 340.01 (7m) of the statutes is amended to read:

4 340.01 (7m) "Commercial driver license" means a license issued to a person by
5 this state or another jurisdiction which is in accordance with the requirements of the
6 federal commercial motor vehicle safety act of 1986, 49 USC ~~2701 to 2716~~ 31301 to
7 31317, and which authorizes the licensee to operate certain commercial motor
8 vehicles.

9 ***-1531/4.4* SECTION 120.** 340.01 (7r) of the statutes is amended to read:

10 340.01 (7r) "Commercial driver license information system" means the
11 information system established pursuant to the federal commercial motor vehicle
12 safety act of 1986, 49 USC ~~2701 to 2716~~ 31301 to 31317, to serve as a clearinghouse
13 for information related to the licensing and identification of commercial motor
14 vehicle drivers.

15 ***-0912/2.1* SECTION 121.** 341.14 (6r) (b) 2. of the statutes is amended to read:

16 341.14 (6r) (b) 2. An additional fee of ~~\$10~~ \$15 shall be charged for the issuance
17 or reissuance of the plates for special groups specified under par. (f) ~~1. to 34., 48., 49.~~
18 ~~and 51.~~

19 ***-0912/2.2* SECTION 122.** 341.14 (6r) (b) 3. of the statutes is repealed.

20 ***-0912/2.3* SECTION 123.** 341.14 (6r) (b) 4. of the statutes is amended to read:

21 341.14 (6r) (b) 4. An additional fee of \$20 that is in addition to the fee under
22 subd. 2. ~~or 3~~ shall be charged for the issuance or renewal of a plate issued on an
23 annual basis for a special group specified under par. (f) ~~35. to 47.~~ An additional fee
24 of \$40 that is in addition to the fee under subd. 2. ~~or 3.~~ shall be charged for the
25 issuance or renewal of a plate issued on a biennial basis for a special group specified

1 under par. (f) 35. to 47 if the plate is issued or renewed during the first year of the
2 biennial registration period or \$20 for the issuance or renewal if the plate is issued
3 or renewed during the 2nd year of the biennial registration period. The fee under
4 this subdivision is deductible as a charitable contribution for purposes of the taxes
5 under ch. 71.

6 ***-3084/2.1* SECTION 124.** 341.21 of the statutes is created to read:

7 **341.21 Registration and title transactions by dealers.** The department
8 may contract with a motor vehicle dealer for services relating to the processing or
9 distribution of original or renewal registrations under this chapter or certificates of
10 title under ch. 342. The department may not compensate a motor vehicle dealer for
11 services provided under this section. A contract with a motor vehicle dealer shall
12 contain the following provisions:

13 (1) The amount of fees, if any, that the motor vehicle dealer may charge a person
14 for services relating to the processing or distribution of an original or renewal
15 registration or a certificate of title.

16 (2) Within 7 business days after the completion of an application, the motor
17 vehicle dealer shall process the application and submit any required fees and other
18 documentation to the department.

19 (3) The motor vehicle dealer shall retain all records related to an application
20 for original or renewal registration or a certificate of title for at least 5 years.

21 (4) The department or its representative may, without any prior notice, conduct
22 random inspections and audits of the motor vehicle dealer.

23 ***-0644/6.1* SECTION 125.** 341.45 (title) of the statutes is amended to read:

24 **341.45 (title) Importation in vehicle tanks regulated; taxes; permits.**

25 ***-0644/6.2* SECTION 126.** 341.45 (1g) (a) of the statutes is amended to read:

1 341.45 (1g) (a) ~~Every~~ Except as provided in subs. (3) and (4g), every person who
2 purchases or obtains motor vehicle fuel or an alternate fuel outside of this state and
3 operates any qualified motor vehicle into this state upon a highway and transports
4 that fuel in an attached or unattached fuel supply tank for the sole purpose of
5 operating the qualified motor vehicle shall pay the Wisconsin motor vehicle fuel or
6 alternate fuels tax on the gallons consumed by the qualified motor vehicle while
7 operated on the highways of this state. The person shall pay the tax by purchasing
8 motor vehicle fuel or alternate fuels within this state in an amount that is equivalent
9 to the gallonage consumed while operating the qualified motor vehicle on the
10 highways of this state, or by remitting the tax directly to the department or to
11 another jurisdiction that is a party to the international fuel tax agreement.

12 ***-0644/6.3*** SECTION 127. 341.45 (1g) (b) of the statutes is amended to read:

13 341.45 (1g) (b) The department may require any person required to pay under
14 par. (a) to report on forms prescribed by it, to display evidence of compliance with par.
15 (a) and to pay taxes in the manner specified by the department.

16 (c) The department shall require any person convicted of evading the tax due
17 under par. (a) to report on forms and in the manner prescribed by the department.

18 ***-0644/6.4*** SECTION 128. 341.45 (4g) of the statutes is created to read:

19 341.45 (4g) The department may issue trip permits for 72-hour periods to
20 persons who would otherwise be required to pay the Wisconsin motor vehicle fuel or
21 alternate fuels tax under sub. (1g). The department shall charge a fee of not less than
22 \$15 for each permit issued under this subsection. A person who has obtained a
23 permit under this subsection is exempt from the purchasing requirement of sub. (1g)
24 (a).

25 ***-0644/6.5*** SECTION 129. 341.45 (5) of the statutes is amended to read:

1 341.45 (5) The department shall promulgate rules under ch. 227 necessary to
2 administer this section. The rules shall include provisions relating to the issuance
3 and use of the permits authorized under sub. (4g). The rules may include provisions
4 relating to the payment of interest on late payments of motor vehicle fuel and
5 alternate fuels taxes and fees for the late payment or underpayment of motor vehicle
6 fuel and alternate fuels taxes.

7 *-1531/4.5* **SECTION 130.** 343.01 (2) (cb) of the statutes is created to read:

8 343.01 (2) (cb) "Motorized construction equipment" means motor-driven
9 construction equipment designed principally for off-road use, including a
10 motorscraper, backhoe, motorgrader, compacter, excavator, tractor, trencher and
11 bulldozer.

12 *-3053/3.1* **SECTION 131.** 343.01 (2) (d) of the statutes is created to read:

13 343.01 (2) (d) "Photograph" means an unretouched image recorded by a camera
14 and reproduced on a photosensitive surface and includes a digitized image.

15 *-1531/4.6* **SECTION 132.** 343.02 (1) of the statutes is amended to read:

16 343.02 (1) The department shall administer and enforce this chapter and may
17 promulgate for that purpose such rules as the secretary considers necessary. Rules
18 promulgated under this chapter may not conflict with and shall be at least as
19 stringent as standards set by the federal commercial motor vehicle safety act, 49
20 USC ~~2701 to 2716~~ 31301 to 31317 and the regulations adopted under that act.

21 *-1531/4.7* **SECTION 133.** 343.03 (1) (title) of the statutes is repealed and
22 recreated to read:

23 343.03 (1) (title) COMPLIANCE WITH FEDERAL STANDARDS.

24 *-1531/4.8* **SECTION 134.** 343.03 (1) (a) of the statutes is amended to read:

1 343.03 (1) (a) The department shall institute a classified driver license system
2 meeting all federal standards under 49 USC ~~2701 to 2716~~ 31301 to 31317 and 49 CFR
3 383.

4 ***-1531/4.9*** SECTION 135. 343.03 (1) (b) of the statutes is amended to read:

5 343.03 (1) (b) The department shall ~~begin issuance of~~ issue operator's licenses
6 in conformity with the classified driver license system to each licensee upon renewal,
7 reinstatement or initial application ~~by April 1, 1991.~~

8 ***-1531/4.10*** SECTION 136. 343.03 (1) (c) of the statutes is repealed.

9 ***-1531/4.11*** SECTION 137. 343.03 (5) of the statutes is amended to read:

10 343.03 (5) INQUIRIES BEFORE ISSUANCE. Before issuing a license under this
11 chapter, the department shall obtain driver record information from the national
12 driver registry and commercial driver license information system to determine
13 whether the applicant holds a commercial driver license, or a license that is revoked,
14 suspended or canceled, or is otherwise disqualified. If the applicant is currently
15 licensed in another state, the department shall obtain information on the applicant's
16 license status with the state of licensure before issuing a license.

17 ***-1531/4.12*** SECTION 138. 343.03 (8) of the statutes is repealed.

18 ***-1531/4.13*** SECTION 139. 343.05 (2) (a) 2. of the statutes is amended to read:

19 343.05 (2) (a) 2. A nonresident who has in his or her immediate possession a
20 valid commercial driver license issued to the person in ~~his or her home~~ another
21 jurisdiction or Mexico bearing all endorsements required for the specific class and
22 type of vehicle being operated. A license is not valid under this subdivision if the
23 license is restricted to operation inside the person's home jurisdiction, or if the person
24 is otherwise violating restrictions or exceeding operating authorization stated on the

1 person's license. If the nonresident is operating a commercial motor vehicle in
2 interstate commerce, he or she must be at least 21 years of age.

3 ***-1531/4.14* SECTION 140.** 343.05 (2) (c) of the statutes is amended to read:

4 343.05 (2) (c) A tow truck operator holding a valid commercial driver license
5 who is engaged in the removal of a disabled or wrecked vehicle from the highway or
6 eliminating a hazard is not required to hold an endorsement to his or her commercial
7 driver license regardless of the type of vehicle being towed. This exception to the
8 requirement for an endorsement does not apply to any subsequent towing of the
9 vehicle, including moving the vehicle from one repair facility to another, unless ~~the~~
10 one of the following applies:

11 1. The tow truck operator holds a commercial driver license and is accompanied
12 by a driver who holds the required endorsements.

13 ***-1531/4.15* SECTION 141.** 343.05 (2) (c) 2. of the statutes is created to read:

14 343.05 (2) (c) 2. The vehicle is a vehicle that requires a "P" endorsement for its
15 operation.

16 ***-1531/4.16* SECTION 142.** 343.05 (4) (a) 3. of the statutes is renumbered
17 343.05 (2) (a) 5. and amended to read:

18 343.05 (2) (a) 5. A person temporarily operating motorized construction
19 equipment ~~designed principally for off-road use, including a motorscraper, backhoe,~~
20 ~~motorgrader, compacter, excavator, tractor, trencher and bulldozer~~ upon a highway
21 in this state who possesses a valid operator's license issued to the person by the
22 department which is not revoked, suspended, canceled, disqualified or expired. This
23 subdivision does not apply to a truck or a construction vehicle designed or equipped
24 for use on a highway or to any vehicle exceeding a speed of 35 miles per hour.

25 ***-1531/4.17* SECTION 143.** 343.055 (5) of the statutes is amended to read:

1 343.055 (5) RULES. As soon as possible after the federal commercial motor
2 vehicle safety act, 49 USC ~~2701 to 2716~~ 31301 to 31317, or the regulations adopted
3 under that act permit any commercial driver license waiver, the department shall
4 promulgate rules governing eligibility for the waiver. This subsection applies to
5 waivers not permitted by federal law on May 12, 1992.

6 ***-0641/3.2*** SECTION 144. 343.06 (1) (c) of the statutes is amended to read:

7 343.06 (1) (c) To any person under age 18 unless the person is enrolled in a
8 school program or high school equivalency program and is not a habitual truant as
9 defined in s. 118.16 (1) (a), has graduated from high school or been granted a
10 declaration of high school graduation equivalency or is enrolled in a home-based
11 private educational program, as defined in s. 115.001 (3g), and has satisfactorily
12 completed a course in driver education in public schools approved by the department
13 of public instruction, or in technical colleges approved by the technical college system
14 board, or in nonpublic and private schools which meet the minimum standards set
15 by the department of public instruction, or has satisfactorily completed a
16 substantially equivalent course in driver training approved by the department and
17 given by a school licensed by the department under s. 343.61, or has satisfactorily
18 completed a substantially equivalent course in driver education or training approved
19 by another state and has attained the age of 16, except as provided in s. 343.07 (1).
20 The department shall not issue a license to any person under the age of 18
21 authorizing the operation of "Class M" vehicles unless the person has successfully
22 completed a basic rider course approved by the department. The department may,
23 by rule, exempt certain persons from the basic rider course requirement of this
24 paragraph. Applicants for a license under s. 343.08 or 343.135 are exempt from the
25 driver education, basic rider or driver training course requirement. The secretary

1 shall prescribe rules for licensing of schools and instructors to qualify under this
2 paragraph. The driver education course shall be made available to every eligible
3 student in the state. Except as provided under s. 343.16 (1) (c) and (2) (cm) to (f), no
4 operator's license may be issued unless a driver's examination has been
5 administered by the department.

6 ***-1531/4.18* SECTION 145.** 343.06 (2) of the statutes is amended to read:

7 343.06 (2) ~~After March 31, 1992, the~~ The department shall not issue a
8 commercial driver license, including a renewal, occupational or reinstated license,
9 to any person during any period of disqualification under s. 343.315 or 49 CFR 383.51
10 or the law of another jurisdiction in substantial conformity therewith, as the result
11 of one or more disqualifying offenses committed on or after July 1, 1987. ~~Beginning~~
12 ~~on April 1, 1992, the department shall cancel any commercial driver license~~ Any
13 person who is known to the department to have been issued to a person who is
14 disqualified be subject to disqualification under s. 343.315 (1) (a) shall be disqualified
15 by the department, unless the required period of disqualification ~~specified in s.~~
16 ~~343.315 for the disqualifying offense~~ has already expired.

17 ***-1531/4.19* SECTION 146.** 343.065 (title) of the statutes is amended to read:

18 **343.065** (title) ~~Intrastate restricted~~ **Restricted commercial driver**
19 **license.**

20 ***-1531/4.20* SECTION 147.** 343.065 (1) of the statutes is amended to read:

21 343.065 (1) If an applicant for a commercial driver license is less than 21 years
22 of age or does not meet the physical qualifications for drivers contained in 49 CFR
23 391 or an alternative federally approved driver qualification program established by
24 the department by rule but is at least 18 years of age and otherwise qualified under
25 this chapter and the rules of the department, the department may issue the

1 applicant a commercial driver license restricted to authorizing the operation of
2 commercial motor vehicles ~~only within this state and~~ not in interstate commerce.

3 ***-1531/4.21* SECTION 148.** 343.065 (2) of the statutes is amended to read:

4 343.065 (2) A commercial driver license issued under this section shall clearly
5 identify that the license does not authorize the operation of commercial motor
6 vehicles ~~outside this state or~~ in interstate commerce.

7 ***-1531/4.22* SECTION 149.** 343.10 (2) (a) 1. of the statutes is amended to read:

8 343.10 (2) (a) 1. Except for a revocation or suspension that arose out of the same
9 incident or occurrence for which the person's license or operating privilege is
10 currently revoked or suspended, the person's license or operating privilege was not
11 revoked or suspended previously under this chapter or ch. 344 or s. 161.50 within the
12 one-year period immediately preceding the present revocation or suspension.

13 ***-1531/4.23* SECTION 150.** 343.10 (10) (a) of the statutes is amended to read:

14 343.10 (10) (a) If the petitioner's commercial driver license has been suspended
15 or revoked solely for a violation of s. 346.63 (1) or a local ordinance in conformity
16 therewith or a law of a federally recognized American Indian tribe or band in this
17 state in conformity with s. 346.63 (1) and the person was not operating a commercial
18 motor vehicle at the time of the violation, a petition seeking issuance of an
19 occupational license authorizing operation of "Class A", "Class B" or "Class C"
20 vehicles may be filed directly with the department. The petition may also seek
21 authorization to operate "Class D" or "Class M" vehicles.

22 ***-1531/4.24* SECTION 151.** 343.12 (2) (h) of the statutes is amended to read:

23 343.12 (2) (h) Prior to the initial issuance or renewal of the endorsement, takes
24 and passes a special examination prescribed by the department and administered
25 by the department or by a 3rd-party tester under s. 343.16 (1) (b) to determine his

1 or her ability to safely operate a school bus. This special examination may include
2 the examination required under sub. (3). The department may renew the
3 endorsement without retesting the licensee, except under sub. (3).

4 ***-3053/3.2* SECTION 152.** 343.14 (3) of the statutes is renumbered 343.14 (3)
5 (a).

6 ***-3053/3.3* SECTION 153.** 343.14 (3) (b) and (c) of the statutes are created to
7 read:

8 343.14 (3) (b) Any photograph taken of an applicant under par. (a) or s. 343.50
9 (4) may be maintained by the department and shall be kept confidential. The
10 department may release a photograph only to the following persons:

11 1. The person whose photograph was taken.

12 2. Any person authorized in writing by the person whose photograph was
13 taken.

14 3. A law enforcement agency, a state agency or a federal governmental agency
15 to perform a legally authorized function.

16 (c) Any person who has received a photograph under par. (b) shall keep the
17 photograph confidential and may not disclose or reproduce it except as authorized.

18 This paragraph does not apply to the person whose photograph was taken.

19 ***-3053/3.4* SECTION 154.** 343.14 (4) of the statutes is repealed.

20 ***-1531/4.25* SECTION 155.** 343.16 (1) (a) of the statutes is amended to read:

21 343.16 (1) (a) *General.* The department shall examine every applicant for an
22 operator's license, including applicants for license renewal as provided in sub. (3),
23 and every applicant for authorization to operate a vehicle class or type for which the
24 applicant does not hold currently valid authorization, other than an instruction
25 permit. Except as provided in sub. (2) (cm) ~~and (e) and s. 343.03 (8) (b) and (c), (e)~~

1 and (f), the examinations of applicants for licenses authorizing operation of “Class
2 A”, “Class B”, “Class C”, “Class D” or “Class M” vehicles shall include both a
3 knowledge test and an actual demonstration in the form of a driving skills test of the
4 applicant’s ability to exercise ordinary and reasonable control in the operation of a
5 representative vehicle. The department shall not administer a driving skills test to
6 a person applying for authorization to operate “Class M” vehicles who has failed 2
7 previous such skills tests unless the person has successfully completed a rider course
8 approved by the department. The department may, by rule, exempt certain persons
9 from the rider course requirement of this paragraph. The driving skills of applicants
10 for endorsements authorizing the operation of commercial motor vehicles equipped
11 with air brakes, the transportation of passengers in commercial motor vehicles or the
12 operation of school buses, as provided in s. 343.04 (2) (b), (d) or (e), shall also be tested
13 by an actual demonstration of driving skills. The department may endorse an
14 applicant’s commercial driver license for transporting hazardous materials, or the
15 operation of tank vehicles or vehicles towing double or triple trailers, as described
16 in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In
17 administering the knowledge test, the department shall attempt to accommodate
18 any special needs of the applicant. The Except as may be required by the department
19 for an “H” or “S” endorsement, the knowledge test is not intended to be a test for
20 literacy or English language proficiency. This paragraph does not prohibit the
21 department from requiring an applicant to correctly read and understand highway
22 signs.

23 ***-0641/3.4* SECTION 156.** 343.16 (2) (f) of the statutes is created to read:

24 343.16 (2) (f) *“Class D” vehicle waiver.* The department may, by rule, waive the
25 driving skills test of a person applying for authorization to operate “Class D” vehicles

1 who qualifies for issuance of a license under s. 343.06 (1) (c) if the applicant has
2 successfully completed an enhanced course in driver education in public schools
3 approved by the department of public instruction, or in technical colleges approved
4 by the technical college system board, or in nonpublic and private schools which meet
5 the minimum standards set by the department of public instruction, and the
6 instructor in that course certifies that the applicant has satisfied the driving skills
7 requirements of the course.

8 ***-1531/4.26* SECTION 157.** 343.17 (3) (e) 1. of the statutes is amended to read:
9 343.17 (3) (e) 1. “K” restriction, which restricts a person issued a license under
10 s. 343.065 to from operating commercial motor vehicles ~~only within this state and not~~
11 in interstate commerce.

12 ***-1531/4.27* SECTION 158.** 343.21 (1) (g) of the statutes is amended to read:
13 343.21 (1) (g) For removing a “K” restriction against operation of commercial
14 motor vehicles ~~outside this state or~~ in interstate commerce, the same fee as for a
15 duplicate license.

16 ***-1531/4.28* SECTION 159.** 343.21 (1) (jm) of the statutes is created to read:
17 343.21 (1) (jm) For reinstatement of a previously disqualified authorization to
18 operate a commercial motor vehicle, \$50. This fee is not applicable to
19 disqualifications under s. 343.315 (2) (g).

20 ***-1531/4.29* SECTION 160.** 343.21 (1) (m) of the statutes is created to read:
21 343.21 (1) (m) For reinstatement of a previously canceled license or
22 endorsement, \$50. This fee includes reinstatement of any classification or
23 endorsement applied for at the same time for which the applicant is qualified.

24 ***-1531/4.30* SECTION 161.** 343.23 (2) of the statutes is amended to read:

1 343.23 (2) The department shall maintain a file for each licensee containing the
2 application for license, permit or endorsement, a record of reports or abstract of
3 convictions, the status of the licensee's authorization to operate different vehicle
4 groups, a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9)
5 (am) and a record of any reportable accident in which the licensee has been involved,
6 including specification of the type of license and endorsements issued under this
7 chapter under which the licensee was operating at the time of the accident and an
8 indication whether or not the accident occurred in the course of the licensee's
9 employment as a law enforcement officer, fire fighter or emergency medical
10 technician — paramedic or as a person engaged, by an authority in charge of the
11 maintenance of the highway, in highway winter maintenance snow and ice removal
12 during either a storm or cleanup following a storm. This information must be filed
13 by the department so that the complete operator's record is available for the use of
14 the secretary in determining whether operating privileges of such person shall be
15 suspended, revoked, canceled or withheld in the interest of public safety. The record
16 of suspensions, revocations and convictions that would be counted under s. 343.307
17 (2) and of convictions for disqualifying offenses under s. 343.315 (2) (h) shall be
18 maintained for at least 10 years. The record of convictions for disqualifying offenses
19 under s. 343.315 (2) (f) shall be maintained for at least 3 years. The record of
20 convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be
21 maintained permanently, except that 5 years after a licensee transfers residency to
22 another state such record may be transferred to another state of licensure of the
23 licensee if that state accepts responsibility for maintaining a permanent record of
24 convictions for disqualifying offenses. Such reports and records may be cumulative
25 beyond the period for which a license is granted, but the secretary, in exercising the

1 power of revocation granted under s. 343.32 (2) may consider only those reports and
2 records entered during the 4-year period immediately preceding the exercise of such
3 power of revocation. For purposes of this subsection, "highway winter maintenance
4 snow and ice removal" includes plowing, sanding, salting and the operation of
5 vehicles in the delivery of those services.

6 ***-1531/4.31* SECTION 162.** 343.245 (3) (b) 3. and 4. of the statutes are amended
7 to read:

8 343.245 (3) (b) 3. Is subject to an out-of-service order in any state; or

9 4. Has more than one operator's license, except during the 10-day period
10 beginning on the date on which the employe is issued an operator's license; or

11 ***-1531/4.32* SECTION 163.** 343.245 (3) (b) 5. of the statutes is created to read:

12 343.245 (3) (b) 5. Does not possess a valid commercial driver license properly
13 endorsed to permit operation of the vehicle.

14 ***-1531/4.33* SECTION 164.** 343.245 (4) (b) of the statutes is amended to read:

15 343.245 (4) (b) Any person who violates sub. (3) (b) shall be fined not more than
16 ~~\$5,000~~ less than \$2,500 nor more than \$10,000 or imprisoned for not more than 90
17 days or both.

18 ***-1531/4.34* SECTION 165.** 343.265 (1) (intro.) of the statutes is renumbered
19 343.265 (1) and amended to read:

20 343.265 (1) The department may accept the voluntary surrender of the
21 operator's license of a person who has a mental or physical disability or disease or
22 a medical condition which prevents or may prevent the person from exercising
23 reasonable control over a motor vehicle if the person's operating privilege is not
24 subject to suspension or revocation for any reason ~~and if either of the following~~
25 ~~conditions are satisfied:~~

1 ***-1531/4.35*** **SECTION 166.** 343.265 (1) (a) and (b) of the statutes are repealed.

2 ***-1531/4.36*** **SECTION 167.** 343.28 (1) of the statutes is amended to read:

3 343.28 (1) Whenever a person is convicted of a moving traffic violation under
4 chs. 341 to 349 or under a local ordinance enacted under ch. 349, the clerk of the court
5 in which the conviction occurred, or the justice, judge or magistrate of a court not
6 having a clerk, shall, as provided in s. 345.48, forward to the department the record
7 of such conviction. The record of conviction forwarded to the department shall state
8 whether the offender was involved in an accident at the time of the offense, whether
9 the offender was operating a commercial motor vehicle at the time of the offense and,
10 if so, whether the offender was transporting hazardous materials or operating a
11 vehicle designed to carry, or actually carrying, 16 or more passengers, including the
12 driver. Whenever a person is convicted of exceeding a posted speed limit, the record
13 of conviction forwarded to the department shall include the number of miles per hour
14 in excess of the posted speed limit.

15 ***-1531/4.37*** **SECTION 168.** 343.28 (2) of the statutes is amended to read:

16 343.28 (2) Whenever a person is convicted of any offense for which s. 343.31
17 makes mandatory the revocation by the secretary of such person's operating
18 privilege, the court in which the conviction occurred shall require the surrender to
19 it of any license then held by such person. The clerk of the court, or the justice, judge
20 or magistrate if the court has no clerk, shall, as provided in s. 345.48, forward to the
21 department the record of conviction and any surrendered licenses. The record of
22 conviction forwarded to the department shall state whether the offender was
23 involved in an accident at the time of the offense, whether the offender was operating
24 a commercial motor vehicle at the time of the offense and, if so, whether the offender

1 was transporting hazardous materials or operating a vehicle designed to carry, or
2 actually carrying, 16 or more passengers, including the driver.

3 ***-1531/4.38* SECTION 169.** 343.305 (10) (em) of the statutes is amended to
4 read:

5 343.305 (10) (em) One penalty for improperly refusing to submit to a test for
6 intoxication regarding a person arrested for a violation of s. 346.63 (2m) or (7) or a
7 local ordinance in conformity therewith is revocation of the person's operating
8 privilege for 6 months. After the first 15 days of the revocation period, the person
9 is eligible for an occupational license under s. 343.10. Any such improper refusal or
10 revocation for the refusal does not count as a prior refusal or a prior revocation under
11 this section or ss. 343.30 (1q), 343.307 and 346.65 (2). The person shall not be
12 required to submit to and comply with any assessment or driver safety plan under
13 pars. (c) and (d).

14 ***-1531/4.39* SECTION 170.** 343.315 (2) (f) (intro.) of the statutes is amended
15 to read:

16 343.315 (2) (f) (intro.) A person is disqualified for a period of 60 days from
17 operating a commercial motor vehicle if convicted of 2 serious traffic violations, ~~or~~
18 and 120 days if convicted of 3 serious traffic violations, arising from separate
19 occurrences committed within a 3-year period while driving or operating a
20 commercial motor vehicle. ~~The department shall consider only offenses committed~~
21 ~~on or after November 2, 1989 in applying 120-day period of disqualification under~~
22 this paragraph shall be in addition to any other period of disqualification imposed
23 under this paragraph. In this paragraph, "serious traffic violations" means:

24 ***-1531/4.40* SECTION 171.** 343.315 (2) (fm) of the statutes is created to read:

1 343.315 (2) (fm) A person is disqualified for a period of 60 days from operating
2 a commercial motor vehicle if convicted of violating s. 343.14 (5) or 345.17, if the
3 violation relates to an application for a commercial driver license.

4 ***-1531/4.41*** **SECTION 172.** 343.315 (2) (h) of the statutes is created to read:

5 343.315 (2) (h) Except as provided in par. (i), a person is disqualified for a period
6 of 90 days from operating a commercial motor vehicle if convicted of an
7 out-of-service violation, or one year if convicted of 2 out-of-service violations, or 3
8 years if convicted of 3 or more out-of-service violations, arising from separate
9 occurrences committed within a 10-year period while driving or operating a
10 commercial motor vehicle. A disqualification under this paragraph shall be in
11 addition to any penalty imposed under s. 343.44. In this paragraph, “out-of-service
12 violation” means violating s. 343.44 (1) by operating a commercial motor vehicle
13 while ordered out-of-service under state or federal law.

14 ***-1531/4.42*** **SECTION 173.** 343.315 (2) (i) of the statutes is created to read:

15 343.315 (2) (i) If the violation listed in par. (h) occurred in the course of
16 transporting hazardous materials or while operating a vehicle designed to carry, or
17 actually carrying, 16 or more passengers, including the driver, the person shall be
18 disqualified from operating a commercial motor vehicle for 180 days upon a first
19 conviction, or for a 3-year period for a 2nd or subsequent conviction, arising from
20 separate occurrences committed within a 10-year period while driving or operating
21 a commercial motor vehicle. A disqualification under this paragraph shall be in
22 addition to any penalty imposed under s. 343.44.

23 ***-1531/4.43*** **SECTION 174.** 343.315 (3) (a) of the statutes is amended to read:

24 343.315 (3) (a) Notwithstanding s. 343.39, if a person’s license or operating
25 privilege is revoked or suspended as the result of an offense committed after March

1 31, 1992, which results in disqualification under sub. (2), the department shall
2 immediately disqualify the person from operating a commercial motor vehicle for the
3 period required under sub. (2). The person's authorization to operate a commercial
4 motor vehicle shall not be reinstated upon expiration of the period of revocation or
5 suspension unless the period of disqualification has also expired. During any period
6 of disqualification in which the person's license or operating privilege is not revoked
7 or suspended, the department may issue an operator's license to the person for the
8 operation of vehicles other than commercial motor vehicles. ~~Upon expiration of the~~
9 ~~period of disqualification, the person may apply for authorization to operate~~
10 ~~commercial motor vehicles as provided in s. 343.14.~~

11 ***-1531/4.44* SECTION 175.** 343.315 (3) (b) of the statutes is amended to read:

12 343.315 (3) (b) If a person's license or operating privilege is not otherwise
13 revoked or suspended as the result of an offense committed after March 31, 1992,
14 which results in disqualification under sub. (2) (a) to (f), (h) or (i), the department
15 shall immediately ~~cancel the person's license~~ disqualify the person from operating
16 a commercial motor vehicle for the period required under sub. (2) (a) to (f), (h) or (i).

17 Upon proper application by the person and payment of a duplicate license fee, the
18 department may issue a separate license authorizing only the operation of vehicles
19 other than commercial motor vehicles. Upon expiration of the period of
20 disqualification, the person may apply for authorization to operate commercial
21 motor vehicles under s. 343.26.

22 ***-0634/1.1* SECTION 176.** 343.32 (4) of the statutes is amended to read:

23 343.32 (4) In adopting rules for weighing traffic convictions by their
24 seriousness under sub. (2), the secretary shall provide by rule for a reduction of up
25 to 3 points if a person shows to the department satisfactory evidence of completion

1 of a rider course approved by the secretary. This subsection applies only to demerit
2 points relating to violations committed before completion of the rider course by a
3 person while driving or operating a Type 1 motorcycle. ~~No person is eligible for more
4 than one point reduction of up to 3 points under this subsection.~~

5 ***-1531/4.45* SECTION 177.** 343.325 (title) of the statutes is amended to read:

6 **343.325 (title) Courts to report appeals; when appeal stays suspension**
7 **or, revocation or disqualification.**

8 ***-1531/4.46* SECTION 178.** 343.325 (2) of the statutes is amended to read:

9 343.325 (2) Notwithstanding ss. 343.31, 343.315 and 343.32 and except as
10 otherwise provided in sub. (4), the secretary shall not suspend or revoke a person's
11 operating privilege or disqualify a person from operating a commercial motor vehicle
12 on the basis of a conviction if the secretary receives from the court in which the
13 conviction occurred a certificate stating that an appeal from the conviction has been
14 taken. If the secretary receives such certificate after suspension or revocation of the
15 operating privilege, the operating privilege shall be reinstated without requiring
16 compliance with s. 343.38. If the secretary receives the certificate after suspension
17 of the operating privilege or disqualification, the operating privilege or authorization
18 to operate a commercial motor vehicle shall be reinstated automatically.

19 ***-1531/4.47* SECTION 179.** 343.325 (3) of the statutes is amended to read:

20 343.325 (3) Whenever suspension or revocation of an operating privilege or a
21 disqualification has been withheld as provided in sub. (2) and the department
22 receives notice that the conviction in question has been affirmed on appeal or that
23 the appeal has been dropped, the secretary shall suspend or revoke such operating
24 privilege or disqualify the person from operating a commercial motor vehicle on the
25 same basis as if the appeal had not been taken, but the period of suspension ~~or,~~

1 revocation or disqualification shall run from the date of suspension or, revocation or
2 disqualification following the affirmance of the conviction or dropping of the appeal,
3 less any time the operating privilege had been suspended or revoked or the
4 authorization to operate a commercial motor vehicle had been disqualified prior to
5 the receipt by the secretary of the certificate under sub. (2).

6 ***-1531/4.48* SECTION 180.** 343.325 (3m) of the statutes is amended to read:

7 343.325 (3m) Whenever the suspension or revocation of an operating privilege
8 or a disqualification has been rescinded or withheld because of administrative
9 action, an appeal, or a court order to reopen, stay or vacate a conviction, suspension
10 or, revocation or disqualification, and that suspension or, revocation or
11 disqualification is subsequently reimposed, the period of suspension or, revocation
12 or disqualification so reimposed shall be reduced by the period of suspension or,
13 revocation or disqualification previously served.

14 ***-1531/4.49* SECTION 181.** 343.325 (4) of the statutes is amended to read:

15 343.325 (4) If a person whose suspension or, revocation or disqualification was
16 stayed pursuant to sub. (2) is convicted of an offense for which revocation or
17 disqualification is mandatory under s. 343.31 or 343.315, during the pendency of the
18 appeal of the original conviction, the secretary shall forthwith revoke such person's
19 operating privilege or disqualify the person from operating a commercial motor
20 vehicle on account of the latter conviction, notwithstanding the appeal of either or
21 both convictions.

22 ***-1531/4.50* SECTION 182.** 343.325 (5) of the statutes is amended to read:

23 343.325 (5) This section shall not prevent suspension or revocation of an
24 operating privilege or a disqualification if there are grounds for suspension or,
25 revocation or disqualification other than the conviction in question.

1 ***-1531/4.51*** **SECTION 183.** 343.325 (6) (a) of the statutes is amended to read:

2 343.325 **(6)** (a) If a court enters an order reopening, vacating or staying a
3 conviction or a suspension or revocation of an operating privilege or a
4 disqualification, the court shall promptly forward a copy of that order to the
5 department.

6 ***-1531/4.52*** **SECTION 184.** 343.44 (title) of the statutes is amended to read:

7 **343.44** (title) **Driving while disqualified, out of service or ordered**
8 **out-of-service or after license revoked or suspended.**

9 ***-1531/4.53*** **SECTION 185.** 343.44 (1) of the statutes is amended to read:

10 343.44 **(1)** No person whose operating privilege has been duly revoked or
11 suspended pursuant to the laws of this state shall operate a motor vehicle upon any
12 highway in this state during such suspension or revocation or thereafter before filing
13 proof of financial responsibility or before that person has obtained a new license in
14 this state, including an occupational license, or the person's operating privilege has
15 been reinstated under the laws of this state. No person may operate a commercial
16 motor vehicle while ordered out-of-service as provided in s. 343.305 (7) (b) or (9) ~~(am)~~
17 under state or federal law. No person may operate a commercial motor vehicle after
18 March 31, 1992, while disqualified as provided in s. 343.315.

19 ***-1531/4.54*** **SECTION 186.** 343.44 (3) of the statutes is amended to read:

20 343.44 **(3)** Refusal to accept or failure to receive an order of revocation ~~or~~,
21 suspension or disqualification mailed by 1st class mail to such person's last-known
22 address shall not be a defense to the charge of driving after revocation ~~or~~, suspension
23 or disqualification. If the person has changed his or her address and fails to notify
24 the department as required in s. 343.22 then failure to receive notice of revocation

1 or, suspension or disqualification shall not be a defense to the charge of driving after
2 revocation or, suspension or disqualification.

3 ***-1531/4.55* SECTION 187.** 343.44 (4r) of the statutes is created to read:

4 343.44 (4r) In addition to other penalties for violation of this section, if a person
5 has violated this section after he or she was ordered out-of-service under state or
6 federal law as provided in s. 343.315, the violation shall result in disqualification
7 under s. 343.315 (2) (h) or (i).

8 ***-0597/1.1* SECTION 188.** 344.12 of the statutes is amended to read:

9 **344.12 Applicability of provisions relating to deposit of security for**
10 **past accidents.** Subject to the exceptions contained in s. 344.14, the provisions of
11 this chapter requiring deposit of security and requiring revocation for failure to
12 deposit security apply to the operator and owner of every motor vehicle which is in
13 any manner involved in an accident in this state which has resulted in bodily injury
14 to or death of any person or damage to property of any other person in excess of \$500
15 \$1,000.

16 ***-0597/1.2* SECTION 189.** 344.14 (2) (e) of the statutes is amended to read:

17 344.14 (2) (e) To the operator or owner of a vehicle involved in an accident
18 wherein no injury was caused to the person of anyone other than such operator or
19 owner and wherein damage to property of any one person other than such operator
20 or owner did not exceed \$500 \$1,000.

21 ***-0597/1.3* SECTION 190.** 346.70 (1) of the statutes is amended to read:

22 346.70 (1) IMMEDIATE NOTICE OF ACCIDENT. The operator of a vehicle involved in
23 an accident resulting in injury to or death of any person, any damage to state or other
24 government-owned property, except a state or other government-owned vehicle, to
25 an apparent extent of \$200 or more or total damage to property owned by any one

1 person or to a state or other government-owned vehicle to an apparent extent of \$500
2 \$1,000 or more shall immediately by the quickest means of communication give
3 notice of such accident to the police department, the sheriff's department or the
4 traffic department of the county or municipality in which the accident occurred or
5 to a state traffic patrol officer. In this subsection, "injury" means injury to a person
6 of a physical nature resulting in death or the need of first aid or attention by a
7 physician or surgeon, whether or not first aid or medical or surgical treatment was
8 actually received; "total damage to property owned by one person" means the sum
9 total cost of putting the property damaged in the condition it was before the accident,
10 if repair thereof is practical, and if not practical, the sum total cost of replacing such
11 property. For purposes of this subsection if any property which is damaged is held
12 in a form of joint or multiple ownership, the property shall be considered to be owned
13 by one person.

14 ***-2207/1.1*** SECTION 191. 348.05 (2) (c), (k) and (L) of the statutes are amended
15 to read:

16 348.05 (2) (c) Twelve feet for farm tractors, except that the total outside width
17 of a farm tractor shall not exceed 9 feet when operated on any Wisconsin highway
18 which, other than that portion of USH 51 between Wausau and the I 90/94
19 interchange near Portage upon its federal designation as I 39, is a part of the national
20 system of interstate and defense highways;

21 (k) Nine feet for loads of tie logs, tie slabs and veneer logs, provided that no part
22 of the load shall extend more than 6 inches beyond the fender line on the left side of
23 the vehicle or extend more than 10 inches beyond the fender line on the right side
24 of the vehicle. The term "fender line" as used herein means as defined in s. 348.09.
25 This paragraph shall not be applicable to transport on highways designated as parts

1 of the national system of interstate and defense highways pursuant to s. 84.29,
2 except for that portion of USH 51 between Wausau and the I 90/94 interchange near
3 Portage upon its federal designation as I 39. The exemptions provided by this
4 paragraph shall apply only to single and tandem axle trucks.

5 (L) Twelve feet for loads of hay in bales if the total outside width of the loads
6 do not exceed the width of a single traffic lane of any highway over which the loads
7 are carried. This paragraph does not apply to vehicles on highways designated as
8 parts of the national system of interstate and defense highways under s. 84.29,
9 except for that portion of USH 51 between Wausau and the I 90/94 interchange near
10 Portage upon its federal designation as I 39.

11 ***-2207/1.2* SECTION 192.** 348.15 (3) (bg), (br), (bv) and (e) of the statutes are
12 amended to read:

13 348.15 (3) (bg) In the case of a vehicle or combination of vehicles transporting
14 exclusively milk from the point of production to the primary market and the return
15 of dairy supplies and dairy products from such primary market to the farm, the gross
16 weight imposed on the highway by the wheels of any one axle may not exceed 21,000
17 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more
18 consecutive axles more than 9 feet apart, a weight of 2,000 pounds more than is
19 shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply
20 to the national system of interstate and defense highways, except for that portion of
21 USH 51 between Wausau and the I 90/94 interchange near Portage upon its federal
22 designation as I 39.

23 (br) In the case of a vehicle or combination of vehicles transporting exclusively
24 peeled or unpeeled forest products cut crosswise or in the case of a vehicle or
25 combination of vehicles transporting exclusively scrap metal, the gross weight

1 imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds
2 or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive
3 axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c),
4 but not to exceed 80,000 pounds. This paragraph does not apply to the national
5 system of interstate and defense highways, except for that portion of USH 51
6 between Wausau and the I 90/94 interchange near Portage upon its federal
7 designation as I 39.

8 (bv) In the case of a vehicle or combination of vehicles used primarily for the
9 transportation of septage, as defined in s. 144.08 (1) (a), the gross weight imposed on
10 the highway by the wheels of any one axle may not exceed 21,500 pounds or, for 2
11 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles
12 more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c) or,
13 for groups of 4 or more consecutive axles more than 10 feet apart, a weight of 6,000
14 pounds more than is shown in par. (c) or, for groups of 5 or more consecutive axles
15 more than 14 feet apart, a weight of 7,000 pounds more than is shown in par. (c), but
16 not to exceed 80,000 pounds. This paragraph does not apply to the national system
17 of interstate and defense highways, except for that portion of USH 51 between
18 Wausau and the I 90/94 interchange near Portage upon its federal designation as I
19 39.

20 (e) Notwithstanding pars. (a), (b) and (c), in the case of a vehicle or combination
21 of vehicles transporting exclusively livestock, the gross weight imposed on the
22 highway by the wheels of any one axle or axle group may exceed the applicable weight
23 limitation specified in pars. (a), (b) and (c) by 15% if the gross weight of the vehicle
24 or combination of vehicles does not exceed the maximum gross weight specified for
25 that vehicle or combination of vehicles under par. (c). This paragraph does not apply

1 to the national system of interstate and defense highways, except for that portion of
2 USH 51 between Wausau and the I 90/94 interchange near Portage upon its federal
3 designation as I 39.

4 *-2207/1.3* **SECTION 193.** 348.175 of the statutes is amended to read:

5 **348.175 Seasonal operation of vehicles hauling peeled or unpeeled**
6 **forest products cut crosswise or abrasives or salt for highway winter**
7 **maintenance.** The transportation of peeled or unpeeled forest products cut
8 crosswise or of abrasives or salt for highway winter maintenance in excess of gross
9 weight limitations under s. 348.15 shall be permitted during the winter months
10 when the highways are so frozen that no damage may result thereto by reason of such
11 transportation. If at any time any person is so transporting such products or
12 abrasives or salt upon a class "A" highway in such frozen condition then that person
13 may likewise use a class "B" highway without other limitation, except that chains
14 and other traction devices are prohibited on class "A" highways but such chains and
15 devices may be used in cases of necessity. The officers or agencies in charge of
16 maintenance of highways, upon determination of such frozen condition and freedom
17 of damage to such highways by transportation shall declare particular highways, or
18 highways within areas of the state as eligible for increased weight limitations. Such
19 declaration shall include the maximum weight on each axle, combination of axles
20 and the gross weight allowed. Any person transporting any such product over any
21 highway of this state under this section is liable to the maintaining authority for any
22 damage caused to such highway. This section does not apply to the national system
23 of interstate and defense highways, except for that portion of USH 51 between
24 Wausau and the I 90/94 interchange near Portage upon its federal designation as I
25 39.

1 ***-2207/1.4* SECTION 194.** 348.19 (2) (b) and (4) of the statutes are amended to
2 read:

3 348.19 (2) (b) If upon weighing a vehicle transporting livestock a traffic officer
4 determines that the gross weight of the vehicle exceeds the limitations imposed by
5 s. 348.15 or 348.16 or a limitation posted as provided in s. 348.17 (1), and if the point
6 of apprehension is 15 miles or less from the destination of the vehicle, the traffic
7 officer shall permit the operator of the vehicle to proceed to such destination without
8 requiring the vehicle to be reloaded or unloaded as provided in par. (a). This
9 paragraph does not apply to vehicles transporting livestock on the national system
10 of interstate and defense highways, except for that portion of USH 51 between
11 Wausau and the I 90/94 interchange near Portage upon its federal designation as I
12 39.

13 (4) Subsection (1) (b) shall not apply to vehicles transporting peeled or
14 unpeeled forest products on the national, interstate or defense highway systems,
15 except for that portion of USH 51 between Wausau and the I 90/94 interchange near
16 Portage upon its federal designation as I 39.

17 ***-2207/1.5* SECTION 195.** 348.27 (4), (9m) and (9r) of the statutes are amended
18 to read:

19 348.27 (4) INDUSTRIAL INTERPLANT PERMITS. The department may issue, to
20 industries and to their agent motor carriers owning and operating oversize vehicles
21 in connection with interplant, and from plant to state line, operations in this state,
22 annual or consecutive month permits for the operation of such vehicles over
23 designated routes, provided that such permit shall not be issued under this section
24 to agent motor carriers or, except for that portion of USH 51 between Wausau and
25 the I 90/94 interchange near Portage upon its federal designation as I 39, from plant

1 to state line for vehicles or loads of width exceeding 102 inches upon routes of the
2 national system of interstate and defense highways. If the routes desired to be used
3 by the applicant involve city or village streets or county or town highways, the
4 application shall be accompanied by a written statement of route approval by the
5 officer in charge of maintenance of the highway in question.

6 **(9m)** TRANSPORTATION OF RAW FOREST AND AGRICULTURAL PRODUCTS. The
7 department may issue annual or consecutive month permits for the transportation
8 of raw forest products or for the transportation of fruits or vegetables from field to
9 storage or processing facilities in vehicles or vehicle combinations that exceed the
10 maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000
11 pounds. A permit issued under this subsection does not authorize the operation of
12 any vehicle or vehicle combination at a maximum gross weight in excess of 90,000
13 pounds. This subsection does not apply to highways designated as part of the
14 national system of interstate and defense highways, except for that portion of USH
15 51 between Wausau and the I 90/94 interchange near Portage upon its federal
16 designation as I 39.

17 **(9r)** TRANSPORTATION OF SCRAP. The department may issue an annual or
18 consecutive month permit for the transportation of metallic or nonmetallic scrap for
19 the purpose of recycling or processing on a vehicle or combination of vehicles which
20 exceeds statutory weight or length limitations and for the return of the vehicle or
21 combination of vehicles when empty. This subsection does not apply to the
22 transportation of scrap on highways designated as part of the national system of
23 interstate and defense highways, except for that portion of USH 51 between Wausau
24 and the I 90/94 interchange near Portage upon its federal designation as I 39.

25 ***-1531/4.56*** SECTION 196. 967.055 (2) (a) of the statutes is amended to read:

1 967.055 (2) (a) Notwithstanding s. 971.29, if the prosecutor seeks to dismiss
2 or amend a charge under s. 346.63 (1) or (5) or a local ordinance in conformity
3 therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the
4 use of a vehicle or an improper refusal under s. 343.305, the prosecutor shall apply
5 to the court. The application shall state the reasons for the proposed amendment or
6 dismissal. The court may approve the application only if the court finds that the
7 proposed amendment or dismissal is consistent with the public's interest in deterring
8 the operation of motor vehicles by persons who are under the influence of an
9 intoxicant, a controlled substance or both, under the influence of any other drug to
10 a degree which renders him or her incapable of safely driving, or under the combined
11 influence of an intoxicant and any other drug to a degree which renders him or her
12 incapable of safely driving, or in deterring the operation of commercial motor
13 vehicles by persons with an alcohol concentration of 0.04 or more. The court may not
14 approve an application to amend the vehicle classification from a commercial motor
15 vehicle to a noncommercial motor vehicle unless there is evidence in the record that
16 the motor vehicle being operated by the defendant at the time of his or her arrest was
17 not a commercial motor vehicle.

18 **SECTION 9155. Nonstatutory provisions; transportation.**

19 *-2201/5.9155* (1) COST-EFFICIENCY STANDARDS EMERGENCY RULE-MAKING
20 AUTHORITY. Using the emergency rule-making procedure under section 227.24 of the
21 statutes, the department of transportation may promulgate the rules under section
22 85.20 (7) (b) of the statutes, as created by this act, for a period beginning after
23 January 1, 1996, but not to exceed the period authorized under section 227.24 (1) (c)
24 and (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of the statutes,
25 the department is not required to make a finding of emergency.

1 ***-3020/3.9155*** (2) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of
2 the statutes, in submitting information under section 16.42 of the statutes for
3 purposes of the 1997-99 biennial budget bill, the department of transportation shall
4 submit information as follows:

5 (a) A dollar amount for each fiscal year of the 1997-99 fiscal biennium for the
6 appropriation account under section 20.395 (5) (cq) of the statutes that is \$430,600
7 less than the total amount appropriated under section 20.395 (5) (cq) of the statutes
8 for the 1996-97 fiscal year, before submitting any information relating to any
9 increase or decrease in the dollar amount for that appropriation for the 1997-99
10 fiscal biennium.

11 (b) A number for the authorized FTE positions for the department of
12 transportation, to be funded from the appropriation under section 20.395 (5) (cq) of
13 the statutes, that is 24.2 SEG positions less than the number of authorized FTE
14 positions funded from that appropriation for the 1996-97 fiscal year, before
15 submitting any information relating to any increase or decrease in FTE position
16 authorizations to be funded from that appropriation for the 1997-99 fiscal biennium.

17 ***-3005/2.9155*** (3) ELDERLY AND DISABLED TRANSPORTATION EXPENDITURES
18 STUDY. The department of transportation shall conduct a study to determine the total
19 amount and sources of all funds expended in this state on transportation services for
20 the elderly and disabled. On or before July 1, 1996, the department of transportation
21 shall report the results of its study to the governor, and to the chief clerk of each house
22 of the legislature for distribution in the manner provided under section 13.172 (2) of
23 the statutes. All other state agencies shall cooperate with the department of
24 transportation in conducting the study.

25 ***-2196/3.9248*** SECTION 9248. **Appropriation changes; revenue.**

1 (1) OIL COMPANY FRANCHISE FEE. In the schedule under section 20.005 (3) of the
2 statutes for the appropriation to the department of revenue under section 20.566 (1)
3 (u) of the statutes, as affected by the acts of 1995, the dollar amount is increased by
4 \$56,400 for fiscal year 1995-96 and the dollar amount is increased by \$5,200 for fiscal
5 year 1996-97 to increase funding for costs incurred in administering the oil company
6 franchise fee.

7 ***-1054/3.9348* SECTION 9348. Initial applicability; revenue.**

8 (1) MOTOR VEHICLE FUEL EXEMPTIONS. The treatment of sections 78.005 (13g),
9 78.01 (2) (e) and (2m) (f), 78.40 (1) and 78.75 (1m) (a) 2. and 3. of the statutes first
10 applies to fuel purchased on the first day of the first month beginning after
11 publication.

12 **SECTION 9355. Initial applicability; transportation.**

13 ***-0597/1.9355*** (1) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment
14 of sections 344.12, 344.14 (2) (e) and 346.70 (1) of the statutes first applies to
15 accidents occurring on the effective date of this subsection.

16 ***-1531/4.9355*** (2) COMMERCIAL DRIVER LICENSES. The treatment of sections
17 343.10 (2) (a) 1., 343.245 (4) (b), 343.28 (1) and (2), 343.315 (2) (f) (intro.), (fm), (h) and
18 (i) and 343.44 (4r) of the statutes first applies to offenses and refusals committed on
19 the effective date of this subsection, but does not preclude the counting of other
20 convictions, suspensions, revocations, disqualifications or refusals as prior
21 convictions, suspensions, revocations, disqualifications or refusals for purposes of
22 sentencing a person, suspending or revoking a person's operating privilege,
23 disqualifying a person from operating a commercial motor vehicle or determining
24 eligibility for an occupational license or authorization to operate certain vehicles.

1 ***-2201/5.9355*** (3) MASS TRANSIT OPERATING ASSISTANCE. The treatment of
2 sections 20.395 (1) (bq) and (bu) and 85.20 (4m) (a), (am), (e) and (em) 1., (4s) and
3 (7) of the statutes and the creation of sections 20.395 (1) (bs) and 85.20 (4m) (a) 1. to
4 3. of the statutes first apply to urban mass transit operating assistance payments for
5 calendar year 1996.

6 ***-2280/3.9355*** (4) LOCAL TRANSPORTATION AIDS. The treatment of sections
7 20.395 (1) (as), (at) and (au) and 86.30 (1) (f), (2) (a) 1. and 3. (intro.), c., d., e. and f.,
8 (b) 1g. and 2., (d) and (e) and (9) (b), (c) and (d) of the statutes and the creation of
9 section 86.30 (9) (b) 1. and 2. and (c) 1. and 2. of the statutes first applies to the local
10 transportation payments for calendar year 1996.

11 ***-2220/1.9359* SECTION 9359. Initial applicability; other.**

12 (1) COMPARABLE BUSINESS PROPERTY.

13 (a) The treatment of section 32.05 (8) (a) and (c) of the statutes first applies to
14 transfers of property on the effective date of this paragraph.

15 (b) The treatment of section 32.25 (2) (b) and (c) of the statutes first applies to
16 plans filed with the department of industry, labor and human relations under section
17 32.25 of the statutes on the effective date of this paragraph.

18 ***-3046/P2.9400* SECTION 9400. Effective dates; general.** Except as
19 otherwise provided in SECTIONS 9401 to 9459 of this act, this act takes effect on July
20 1, 1995, or on the day after publication, whichever is later.

21 **SECTION 9455. Effective dates; transportation.**

22 ***-0597/1.9455*** (1) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment of
23 sections 344.12, 344.14 (2) (e) and 346.70 (1) of the statutes and SECTION 9355 (1) of
24 this act take effect on January 1, 1996.

1 ***-0912/2.9455*** (2) SPECIAL GROUP LICENSE PLATE FEES. The treatment of
2 section 341.14 (6r) (b) 2., 3. and 4. of the statutes takes effect on January 1, 1996.

3 ***-1289/2.9455*** (3) EXEMPTION REPORTS. The treatment of section 70.337 (7) of
4 the statutes takes effect on March 31, 1996.

5 ***-2192/3.9455*** (4) AIRCRAFT REGISTRATION.

6 (a) The treatment of sections 114.002 (4), (11) and (13) and 114.20 (2) (c), (5),
7 (7) and (13) (b) 1., 2., 3. and 5. of the statutes takes effect on November 1, 1995.

8 (b) The treatment of section 114.20 (1) (title), (a) and (b), (2) (intro.), (9) (a) to
9 (c) and (d), (9m) (intro.), (12) and (15) (b) of the statutes and the repeal and recreation
10 of section 114.20 (5) and (13) (b) 1. and 2. of the statutes take effect on November 1,
11 1996.

12 ***-2196/3.9455*** (5) OIL COMPANY FRANCHISE FEE. The treatment of sections
13 25.40 (1) (a) 3., 73.01 (4) (a) and 84.59 (2) and chapter 140 of the statutes takes effect
14 on October 1, 1995.

15 ***-2201/5.9455*** (6) MASS TRANSIT OPERATING ASSISTANCE. The treatment of
16 sections 20.395 (1) (bq) and (bu) and 85.20 (4m) (a), (am), (e) and (em) 1., (4s) and (7)
17 of the statutes and the creation of sections 20.395 (1) (bs) and 85.20 (4m) (a) 1. to 3.
18 of the statutes take effect on January 1, 1996.

19 ***-2280/3.9455*** (7) LOCAL TRANSPORTATION AIDS. The treatment of sections
20 20.395 (1) (as), (at) and (au) and 86.30 (1) (f), (2) (a) 1. and 3. (intro.), c., d., e. and f.,
21 (b) 1g. and 2., (d) and (e) and (9) (b), (c) and (d) of the statutes and the creation of
22 section 86.30 (9) (b) 1. and 2. and (c) 1. and 2. of the statutes takes effect on January
23 1, 1996.

24 **(END)**