



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-3822/1  
MDK:ahe&amn

## 2015 SENATE BILL 392

November 20, 2015 – Introduced by Senators TIFFANY, KAPENGA, MARKLEIN, OLSEN and LEMAHIEU, cosponsored by Representatives BALLWEG, ALLEN, R. BROOKS, KULP, MURPHY, SANFELIPPO, TITTL and TAUCHEN. Referred to Committee on Agriculture, Small Business, and Tourism.

1     **AN ACT** *to create* 168.23 (6) of the statutes; **relating to:** authority of the  
2             Department of Agriculture, Trade and Consumer Protection regarding motor  
3             vehicle fueling facilities.

---

***Analysis by the Legislative Reference Bureau***

This bill prohibits the Department of Agriculture, Trade and Consumer Protection (DATCP) from promulgating or enforcing a rule that requires motor vehicle fueling facilities to have available to the public a telephone or other means for contacting emergency services. Current law requires DATCP to promulgate rules regarding tanks for storing flammable or combustible liquids and the property on which such tanks are located. Some of DATCP's rules apply to a "point-of-sale facility," which the rules define, in part, as a facility for dispensing motor vehicle fuel without the involvement of an employee of the facility. One rule requires point-of-sale dispensing facilities to have on site a telephone or other clearly identified means to notify the fire department.

This bill prohibits DATCP from promulgating or enforcing a rule that requires the owner or operator of any motor vehicle fueling facility to have a telephone or other means for contacting emergency services available to the public.

---

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

