

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Joint Committee for
Review of
Administrative Rules
(JCR-AR)

Sample:

- Record of Comm. Proceedings
- 97hrAC-EdR_RCP_pt01a
- 97hrAC-EdR_RCP_pt01b
- 97hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤

➤ Clearinghouse Rules ... CRule

➤

➤ Committee Hearings ... CH

➤

➤ Committee Reports ... CR

➤

➤ Executive Sessions ... ES

➤

➤ Hearing Records ... HR

➤

➤ Miscellaneous ... Misc

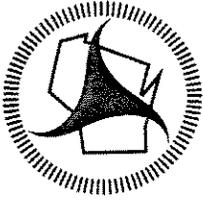
➤ 97hr_JCR-AR_Misc_pt17

➤ Record of Comm. Proceedings ... RCP

➤

ESCOAT FEES

TRANS 320-STATE PATROL



Wisconsin Department of Transportation



Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

OFFICE OF GENERAL COUNSEL
P. O. Box 7910
Madison, WI 53707-7910

June 11, 1998

Mr. Gary L. Poulson, Deputy Revisor
Revisor of Statutes Bureau
131 West Wilson Street
Suite 800
Madison, Wisconsin 53703

RE: **STATEMENT OF SCOPE OF PROPOSED RULEMAKING, TRANS 320**

Dear Mr. Poulson:

Enclosed is the Statement of Scope for the proposed amendment of ch. Trans 320. Please publish this notice in the Administrative Register in accordance with § 227.135(3), Stats.

Sincerely,

Julie A. Johnson
Paralegal

Enclosures

cc: Richard G. Chandler/DOA State Budget Director
Senator Robert Welch, Co-Chair/JCRAR
Representative Glenn Grothman, Co-Chair/JCRAR
Gene Kussart
Sandy Beaupre
Mike Goetzman
Bill Singletary
Dan McGuire
Loralee Brumund
Frieda Andreas

STATEMENT OF SCOPE

DESCRIPTION OF THE OBJECTIVE OF THE RULE:

This rulemaking will create Ch. Trans 320 which will provide revenue from fees charged to event organizers and motor carrier companies for traffic enforcement and escort services provided by the State Patrol beyond the normal traffic enforcement and safety tasks performed by State Patrol Troopers and Inspectors.

DESCRIPTION OF EXISTING POLICIES RELEVANT TO THE RULE AND OF NEW POLICIES PROPOSED TO BE INCLUDED IN THE RULE AND AN ANALYSIS OF POLICY ALTERNATIVES:

Existing policies permit the State Patrol to charge escort fees for escort services provided to motor carriers that are overweight and oversize to ensure a safe transport on state roadways. This revenue is deposited in the Transportation Fund and does not provide direct revenue to the State Patrol to cover expenses, including overtime, for escort services. The mandate to deposit the escort services fees directly into the State Patrol appropriations account would permit the State Patrol to meet the costs associated with the services provided, including overtime expenses, while maintaining a full level of Trooper and Inspector strength on all of the State roadways.

Existing policies do not permit the State Patrol to charge private operators for the traffic enforcement and security services provided at special events throughout the State. The expenses related to additional officer salaries, overtime, and equipment used during the time of the event must be met through State Patrol general revenues. The mandate to deposit the event fees directly into the State Patrol appropriations account would permit the State Patrol to meet the costs associated with the enforcement and security services provided while maintaining a full level of Trooper and Inspector strength on all of the State roadways.

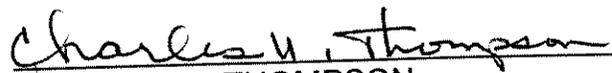
STATUTORY AUTHORITY FOR THE RULE:

1997 Wisconsin Act 27 (budget bill) created s. 85.51, Stats., which permits the State Patrol to charge a fee for security and traffic enforcement services provided at any public event for which an admission fee is charged for spectators if the event is organized by a private organization. Act 27 also created ss. 25.40(1)(a)14 and 20.395.(5)(dg), Stats., which mandate that the fees for the events and for escort services be deposited in the general fund and credited to the appropriation account, and establishes that appropriation account s. 20.395(5)(dg), Stats.

ESTIMATES OF THE AMOUNT OF TIME THAT STATE EMPLOYEES WILL SPEND DEVELOPING THE RULE AND OF OTHER RESOURCES NECESSARY TO DEVELOP THE RULE:

DOT employees will require approximately 140 hours of time to develop the administrative rule, employing the expertise of planning analysts and budget analysts with assistance from representatives of the sworn personnel, and for review by DOT attorneys.

Signed at Madison, Wisconsin, this 11 day of
June, 1998.



CHARLES H. THOMPSON

Secretary

Wisconsin Department of Transportation