

MAY 22 2000

Wisconsin Department of Transportation

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Tommy G. Thompson
Governor

Terrence D. Mulcahy, P.E.
Secretary

Office of General Counsel
4802 Sheboygan Ave., Rm. 115B
P.O. Box 7910
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May 19, 2000

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The Honorable Fred Risser
President, Wisconsin State Senate
Room 220 South, State Capitol
Madison, Wisconsin 53707

The Honorable Scott Jensen
Speaker, Wisconsin State Assembly
Room 211 West, State Capitol
Madison, Wisconsin 53707

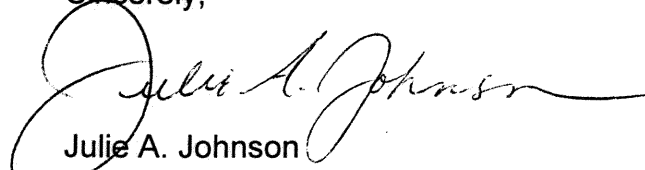
RE: CLEARINGHOUSE RULE 97-045 AFFECTING CH. TRANS 152, WIS. ADMIN. CODE

Gentlemen:

In 1997 the Wisconsin Department of Transportation submitted a proposed rule to increase fuel tax license and decal fees for Wisconsin-based interstate motor carriers. The purpose of the fee increase was to supplement declining license and decal revenue and to support administrative costs for the Department's International Fuel Tax Agreement (IFTA) program. Following a public hearing and contacts with the motor carrier industry, it was determined that the IFTA revenue issue should be discussed in the context of the biennial budget process.

Therefore, the Department hereby withdraws CR 97-045, pursuant to § 227.14(6)(b), Stats., which was intended to amend ch. Trans 152, Wis. Admin. Code, relating to Wisconsin Interstate Fuel Tax.

Sincerely,


Julie A. Johnson
Paralegal

cc: Senator Judy Robson/Representative Glenn Grothman/Senator Roger Breske/
Representative David Brandemuehl/Ron Sklansky/Gary Poulson/Roger Cross/
Tom Cantwell/Susan Kavulich/Carson Frazier

SEP 18 2000



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September 15, 2000

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 152**

Dear Mr. Poulson:

Enclosed is the Statement of Scope for the proposed amendment of ch. Trans 152. Please publish the Scope Statement in accordance with § 227.135(3), Stats., in the Administrative Register.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julie A. Johnson".

Julie A. Johnson
Paralegal

Enclosures

cc: Richard G. Chandler/DOA State Budget Director
Senator Judy Robson, Co-Chair/JCRAR
Representative Glenn Grothman, Co-Chair/JCRAR
Alice Morehouse
Mike Goetzman
Roger D. Cross
Thom Rabaglia
Steve Postler
Carson Frazier

STATEMENT OF SCOPE

DESCRIPTION OF THE OBJECTIVE OF THE RULE:

This rule making proposes to amend ch. Trans 152, relating to the Wisconsin Interstate Fuel Tax and International Registration Program, to clarify Department policies addressing decal accountability, permanent plate issuance, appeals, trip permits and overdue billing issues. In addition, 1999 Wis. Act 145 transfers appeals of certain determinations of the Department of Transportation from the Division of Hearings and Appeals to the Tax Appeals Commission. This proposed rule making will reflect this change.

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:

The current rule establishes policies concerning licensing, records requirements and reporting requirements under the terms of the International Fuel Tax Agreement (IFTA) and under the terms of the IRP. New language will be drafted to address the following issues:

1. **Decal accountability.** Vehicles operated under the terms of IFTA are required to display decals. There have been reports that unlicensed vehicles are displaying IFTA decals. It is believed the owners of the unlicensed vehicles are obtaining the IFTA decals from IFTA licensees who currently are not required to account for the decals obtained from the Department.
2. **Permanent plate language.** The Department has recently begun to issue permanent plates through its IRP program. The policies concerning the issuance of permanent plates will be codified in ch. Trans 152.
3. **Tax Appeals Commission.** The Governor recently signed 1999 Wis. Act 145 indicating the Tax Appeals Commission, rather than the Division of Hearings and Appeals, will hear all appeals of actions the Department takes while administering the IFTA and IRP programs. Ch. Trans 152 will be updated to reflect this change.
4. **Trip permits.** Language clarifying that fuel tax and registration trip permit users must retain the trip permits for audit purposes will be added to ch. Trans 152.
5. **Collections.** Language will be added to ch. Trans 152 defining the policy the Department will use when customers do not submit payment to the Department by the due date.

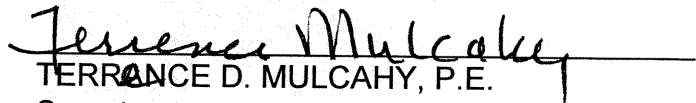
STATUTORY AUTHORITY FOR THE RULE:

ss. 341.405 and 341.45, Stats.

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

40 hours

Signed at Madison, Wisconsin, this 14 day
of September, 2000.


TERRANCE D. MULCAHY, P.E.
Secretary
Wisconsin Department of Transportation