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Details:

(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Small Business, Emergency
Preparedness, Technical Colleges, and Consumer
Protection (SC-SBEPTCCP)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection

Senate Bill 679

Relating to: dispensing motor vehicle fuel for persons with disabilities, granting rule-making authority, and providing a penalty.

By Senators Plale, Kanavas, Coggs, Lehman and Taylor; cosponsored by Representatives Krusick, Zipperer, Berceau, Brooks, Fields, Grigsby, Kaufert, Lothian, A. Ott, Pasch, Stone, A. Williams, Zepnick and Gunderson.

April 09, 2010 Referred to Committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection.

April 14, 2010 **PUBLIC HEARING HELD**

Present: (5) Senators Wirch, Plale, Holperin, Hopper and Lazich.
Absent: (0) None.

Appearances For

- Diana Sullivan, Milwaukee — People with Disabilities Independence First
- Maureen Ryan, Madison — WI Coalition of Independent Living Centers
- Peggy Krusick — Representative

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- None.

Registrations Against

- None.

Registrations for Information Only

- None.

April 21, 2010 **EXECUTIVE SESSION HELD**

Present: (5) Senators Wirch, Plale, Holperin, Hopper and Lazich.
Absent: (0) None.

Moved by Senator Holperin, seconded by Senator Hopper that **Senate Bill 679** be recommended for passage.

Ayes: (5) Senators Wirch, Plale, Holperin, Hopper and Lazich.
Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 5, Noes 0

Michael Tierney
Committee Clerk

To: Senate Committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection

From: Jennifer Badeau, Director of Regulatory Affairs

Date: April 13, 2010

RE: Senate Bill 679; Requesting Passage

I testified on behalf of Assembly Bill 285 and now it is my pleasure to provide written testimony in favor of Senate Bill 679. WPMCA is a trade association; our members are comprised of over 500 independent businesses. As a group, we employ more than 20,000 people, operate more than 2,000 gas stations and account for more than one-half the entire volume of motor fuel and nearly all the home heating oil sold in Wisconsin. Bottom line, our members are only in business because of their customers –and providing excellent service is priority one.

SB 679 and companion AB 285 help service stations provide that excellent service. Most helpful is the fact that the Dept of Commerce will be designing uniform signs that will notify customers how to obtain assistance in fueling. We hope to be allowed input on that design process. Also, those signs will serve as a reminder to station employees – as to how to best serve customers with disabilities.

WPMCA is confident that this bill helps our customers and therefore helps our industry. We urge passage of this bill.

If you have any questions about this testimony please feel free to call me at 608/256-7555, or email badeau@wpmca.org

Thank you for your consideration,





1 WEST WILSON, ROOM 437
POST OFFICE BOX 7851
MADISON, WI 53707-7851

State of Wisconsin Council on Physical Disabilities

Voice: 608-261-7816
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Fax: 608-266-3386
www.pdcouncil.state.wi.us

April 14, 2010

Senator Robert Wirch
Committee on Small Business, Emergency Preparedness, Technical Colleges and
Consumer Protection
Room 316 South, State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Dear Chairperson Wirch:

The Wisconsin Council on Physical Disabilities (WCPD) has unanimously voted to support Senate Bill 679 on Gas Pump Accessibility for Disabled Drivers.

This bill brings together providers and consumers in a statewide agreement to solve a problem for Wisconsin's motor vehicle operators with physical disabilities. The bill sets the standards for serving disabled drivers, fuel pricing for such individuals, and signage requirements to publicize service assistance availability. Making a set policy standard across the state regarding fuel services will help both providers and consumers better understand what is to be done and what is to be expected, thus minimizing misunderstandings and eventually reducing complaints. The Council has discussed resolution of this issue for some time and SB 679 answers our concerns.

The Council also commends the efforts put forth creating this bill. Bringing together the parties most affected by a legislative action to create a solution resulting in mutually supported legislation to solve a problem deserves acknowledgment. Another added benefit of SB 679 is that it also moves Wisconsin into closer compliance with the federal Americans with Disabilities Act.

We hope your committee will recognize our support of SB 679 as it solves a problem, is based on mutual support by the parties most affected, and sets another good example for problem resolution

We hope you will agree and the Committee on Small Business, Emergency Preparedness, Technical Colleges and Consumer Protection will move to support SB 679.

Sincerely,

Ben Barrett, Chair

CC: Representative Peggy Krusick



From Survival Coalition
RE: AB 235 / SB 679
Date: 4/14/10

SB 679

Please accept this testimony in support of AB235 from the Survival Coalition. Survival Coalition is a cross-disability coalition which works in partnership with local organizations, coalitions, consumers, advocates, and families throughout the state and makes intensive efforts to ensure that our priorities promote and advance the wishes of people with disabilities and their families. The Coalition will promote policies, programs, and practices that advance integrated, individualized, community-based supports and services. The Survival Coalition of Wisconsin Disability Organizations is committed to creating a society in which people with disabilities of all ages receive the services and supports needed, throughout their life span, and can choose to live their lives as they wish and be full participants in community life.

Some people with disabilities need assistance with fueling their vehicles and/or making their payments at gas stations. We are asking that ^{SB 679}AB 235 receives you full Committee support. This Bill was drafted with a great deal of input from the disability community and its stakeholders. We believe that this Bill is reasonable for the gas station employers and employees. We believe that it will provide the necessary independence for people with disabilities and the aging populations to fully participate in community life. We believe that it is in accordance with the Americans with Disabilities Act (ADA).





Wisconsin Coalition of Independent Living Centers, Inc.
301 South Livingston St., Ste 200
Madison, WI 53703
608-444-3842 v/text

From: Maureen Ryan, WCILC Executive Director & Lobbyist
Re: AB 285/^{SB 679}
Date 4/14/10

^{SB 679}

Please accept this letter of support for AB 285 from the Wisconsin Coalition of Independent Living Centers, Inc. (WCILC). WCILC is a statewide not for profit coalition of eight Independent Living Centers. WCILC's mission is to promote the rights of people with disabilities to live independently and to be active participants in community life. WCILC strives to enhance opportunities for independence through advocacy, efforts to increase awareness of independently living, and by acting as a resource to, and supporting the activities of, independent living centers throughout Wisconsin.

One of WCILC's objectives is to assist people with disabilities to increase their access to transportation. In 2008, the ILCs assisted 2,048 people with accessing transportation, which included getting to their jobs, appointments, and community locations. Access to gas pumps is a crucial component to independent transportation. Currently in Wisconsin, only full service gas stations are required to assist with dispensing fuel and receiving payment for the fuel. The number of full service gas stations has drastically reduced over the last ten years, making it almost impossible for some people to be able to travel independently. ^{SB 679} AB 285 would require all gas stations to provide fueling assistance, unless there is only one employee working at the station at the time of the request. It also would require that gas stations allow people to pay at the pump. It would be a great disservice to people with disabilities who have worked diligently to achieve their drivers' licenses, purchase their vehicles, modified their vehicles to be unable to independently get their vehicle fueled.

In working on this legislation, we were careful to address potential misuse of this service and included language that would require the motor vehicle requesting assistance to display disabled registration plates or the disabled identification card. The person needing assistance would be required to sound their horn or request the needed assistance in another appropriate manner. As in accordance with the American's with Disabilities Act (ADA), no additional surcharge can be applied by the gas station to a qualified disabled person needing this assistance.

We also urge you to accept the language as included in ^{SB 679} AB 285 that addresses the Department of Commerce to work with the disability advocates in designing the specifications for the gas stations' display signs which would address the assistance request. Additionally, that any person who violates this could be fined up to \$100 per violation.

We thank you for your time and effort at increasing the accessibility for persons with disabilities across Wisconsin.





PEGGY KRUSICK
STATE REPRESENTATIVE

Date?

SB 679

Gas Pump Accessibility for Disabled Drivers (AB 285)

Requested by Independence First, this bill would update and improve state law to help ensure that all gas stations in Wisconsin are accessible to customers with disabilities as required under federal law.

This legislation was drafted in consultation with disability advocates, Wisconsin gas station representatives and the Department of Commerce.

The Bill

Requires all gas stations in Wisconsin to:

- provide refueling assistance to disabled customers upon request, unless only one employee is on duty.
- provide this refueling assistance without any charge beyond the self-service price.
- post signs stating that disabled customers can obtain refueling assistance by honking a horn or requesting assistance from an employee. (The Department of Commerce would design these signs and determine where they should be posted in consultation with advocates for the disabled and the elderly, petroleum marketers, and motor vehicle fuel retailers).

Supporters

IndependenceFirst
Wisconsin Petroleum Marketers & Convenience Store Association
Disability Rights Wisconsin
Survival Coalition of Wisconsin Disability Organizations
Wisconsin Coalition of Independent Living Centers
AARP Wisconsin
The Wisconsin Council on Physical Disabilities
Wisconsin Sheriffs and Deputy Sheriffs Association





PEGGY KRUSICK
STATE REPRESENTATIVE

Date?

Gas Pump Accessibility for Disabled Drivers (AB 285/SB 679)

Requested by Independence First, this bill would update and improve state law to help ensure that all gas stations in Wisconsin are accessible to customers with disabilities as required under federal law. This legislation was drafted in consultation with disability advocates, Wisconsin gas station representatives and the Department of Commerce.

AB 285 passed Assembly Consumer Protection Committee 9-0.

The Bill

Requires all gas stations in Wisconsin to:

- provide refueling assistance upon the request of a customer with a disability, unless only one employee is on duty.
- provide this refueling assistance without any charge beyond the self-service price.
- post signs stating that a customer with a disability can obtain refueling assistance by honking a horn or requesting assistance from an employee. (The Department of Commerce would design these signs and determine where they should be posted in consultation with advocates for the disabled and the elderly, petroleum marketers, and gas station operators).

Supporters

IndependenceFirst

Wisconsin Petroleum Marketers & Convenience Store Association

Disability Rights Wisconsin

Survival Coalition of Wisconsin Disability Organizations

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AARP Wisconsin

The Wisconsin Council on Physical Disabilities

Wisconsin Sheriffs and Deputy Sheriffs Association
