

**2013 DRAFTING REQUEST**

**Assembly Amendment (AA-AB828)**

Received: **3/3/2014** Received By: **agary**  
 Wanted: **As time permits** Same as LRB:  
 For: **Keith Ripp (608) 266-3404** By/Representing: **Elisabeth Portz**  
 May Contact: Drafter: **agary**  
 Subject: **Transportation - other** Addl. Drafters:  
**Transportation - traffic laws** Extra Copies:

Submit via email: **YES**  
 Requester's email: **Rep.Ripp@legis.wisconsin.gov**  
 Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**  
**Tim.Fiocchi@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Parking spaces reserved for persons with physical disabilities; initial applicability and addressing grandfathering

**Instructions:**

See attached; wants to add parts of AB-826 into AB-828, plus harmonize applicability language in particular by changing repainted to seal coated

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	agary 3/4/2014	jdyer 3/4/2014	jmurphy 3/4/2014	_____	mbarman 3/4/2014	mbarman 3/4/2014	

FE Sent For:

<END>

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/1	agary	1/3/4 jld	jd				

FE Sent For:

<END>

## Gary, Aaron

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**From:** Fiocchi, Tim  
**Sent:** Tuesday, March 04, 2014 7:43 AM  
**To:** Gary, Aaron; Portz, Elisabeth  
**Subject:** RE: AB 828 amendment

Yes exactly.

----- Original message -----

**From:** "Gary, Aaron"  
**Date:** 03/03/2014 10:33 PM (GMT-06:00)  
**To:** "Fiocchi, Tim" , "Portz, Elisabeth"  
**Subject:** RE: AB 828 amendment

I was just starting on these. If I'm reading this right, we're going to drop the stuff about the IBC and the provisions related to DSPS in AB-826. The current statutes that determine how many spaces must be reserved will be kept (unchanged). However, we will take the language from AB-826 intended to overcome the "grandfathering" and add it to AB-828 so that the minimum spaces requirement will kick in with any reconstruction, resurfacing, or seal coating of a parking lot. Does that accurately describe your intent?

Thanks. Aaron

Aaron R. Gary  
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[aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

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**From:** Fiocchi, Tim  
**Sent:** Monday, March 03, 2014 6:28 PM  
**To:** Gary, Aaron; Portz, Elisabeth  
**Subject:** RE: AB 828 amendment

Hi Aaron,

As I was reviewing these bills (AB 826 and 828) tonight I discovered my prior understanding that our statutes and IBC code were essentially the same as they are part of our building code through adoption at DSPS was incorrect. IBC code requires at least 1 disabled space for any lot with 1-25 spaces. This comes from trying to move fast at the last second.

Per our conversation earlier, I would like to drop that bill entirely and, as you'd sort of suggested, just make the needed changes to AB 828. I don't know if it's easier to do with a sub or a simple but I'd like to do the following. Instead of amending/creating 346.503 (1m) (am) as we do in 828 now, amend 346.503 (1m) (a) as we do in AB 826. That will create the desired requirement to update the lot when you resurface/ seal coat so that it must be brought up to the current statutory minimums plus add the provision in the bill for mandatory exclusive lift van spots.

I'm hoping you hadn't gotten to these yet.

Apologies,

Tim

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**From:** Gary, Aaron  
**Sent:** Monday, March 03, 2014 2:59 PM  
**To:** Portz, Elisabeth  
**Cc:** Fiocchi, Tim  
**Subject:** RE: AB 828 amendment

Hi Liz,

I did draft an amendment to make this change, but haven't sent it out yet. The relevant language in AB-826 and AB-828 would be slightly different.

AB-828: "initially constructed, or resurfaced or to which a seal coat is applied, on or after ...."  
AB-826 (with the change): "initially constructed, reconstructed, resurfaced, or seal coated after ...."

Two reasons for the slightly different wording in AB-828. First, to make clear that "initially" only applies to constructed, not resurfaced or seal coated. Second, "seal coated" is a little slangy, so we referred to a seal coat being applied.

Do you want the language as you requested for AB-826? Or would you rather copy the language in AB-828?

On your other question, I didn't see any other updates for AB826. I should note, though, that there is some inconsistency in the drafts. Conceptually, they are not inconsistent. However, the treatment of s. 346.503 (2m) is inconsistent. I believe the revisor can fix the inconsistency, but if you want to roll the two drafts into one sub, that might be a better way of resolving it. I note that AB828 actually changes the number of required parking spaces and eliminates the concept of voluntary spaces for small public facilities (a parking facility of 25 or fewer spaces). Although I believe the revisor could harmonize the two bills by striking p. 3, lines 1-2 in AB-828 to match up with p. 4, lines 9-10 in AB-826, it would be best to resolve this now and merge the drafts in some way if that is not too politically inconvenient.

Aaron

Aaron R. Gary  
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[aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

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**From:** Portz, Elisabeth  
**Sent:** Monday, March 03, 2014 10:33 AM  
**To:** Gary, Aaron  
**Cc:** Fiocchi, Tim  
**Subject:** AB 828 amendment

Hey Aaron,

For AB 828, we will need a small amendment to AB 828 to amend page 2, line 7, strike "repainted" and insert "seal coated." We were also wondering if there is anything we need to add to this amendment to make sure the updates in AB 826 also apply in AB 828?

Thanks for your help on this.

Elisabeth Portz  
Clerk, Assembly Committee on Transportation  
Office of Wisconsin State Representative Keith Ripp



TODAY  
in  
3/4



JLD

**ASSEMBLY AMENDMENT ,  
TO ASSEMBLY BILL 828**

Fixed request  
sheet

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 2, line 1: before that line insert:
- 3 “SECTION 1g<sup>✓</sup> 346.503 (1m) (ag)<sup>✓</sup> of the statutes is created to read:
- 4 346.503 (1m) (ag) Notwithstanding s. 101.13 (2) (a) and (d)<sup>✓</sup>, the requirement
- 5 under par. (a)<sup>✓</sup> applies to any owner or lessee of any public building or place of
- 6 employment, and to any owner or lessee of any parking facility that offers parking
- 7 to the public, with respect to any parking area initially constructed, or reconstructed,
- 8 resurfaced, or seal coated, on or after May 27, 1976.”<sup>✓</sup>
- 9 **2.** Page 2, line 1: delete “SECTION 1” and substitute “SECTION 1m”.<sup>✓</sup>
- 10 **3.** Page 2, line 7: after “constructed,” insert “or”.
- 11 **4.** Page 2, line 7: delete “repainted” and substitute “seal coated.”<sup>✓</sup>
- 12 **5.** Page 3, line 12: after “constructed,” insert “or”.<sup>✓</sup>

