

## Chapter Trans 320

### CALCULATION OF FEES FOR SPECIAL EVENTS, SECURITY, TRAFFIC ENFORCEMENT AND ESCORT SERVICES

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**Trans 320.01 Purpose and scope.** (1) **PURPOSE.** AS authorized by ss. 85.51 and 348.25 (3), Stats., the purpose of this chapter is to establish a uniform method to determine the fees that may be charged for special events, security and traffic enforcement services, and escort services provided by state traffic officers.

(2) **SCOPE.** This chapter applies to all of the following:

(a) Special events in which state traffic officers provide security and traffic enforcement services for which an admission fee is charged, and the special event is organized by a private or public organization.

(b) Motor carriers and private motor carriers who require escort services for oversize or overweight vehicles or loads.

(c) Projects involving the installation, inspection, removal, relocation or repair of a utility facility located on a highway if security and traffic law enforcement services are provided by state traffic officers.

**History:** Cr. Register, May, 2000, No. 533, eff. 6-1-00; CR 02-086: am. (2), Register November 2002 No. 563, eff. 12-1-02.

**Trans 320.02 Definitions.** The words and phrases defined in ss. 30.40 (19) and 340.01, Stats., have the same meaning in this chapter unless a different definition is specifically provided. In this chapter:

(2) "District commander" means a Wisconsin division of state patrol captain who is the commander of one of the division of state patrol's 7 districts, or the commander's designee.

(3) "Duty hours" means a traffic officer's starting and ending times for each work day. This includes travel time from the traffic officer's residence or work location to the starting point from which special event or escort services are provided. It also includes travel time returning from the special event or escort site back to the traffic officer's residence or work location, or travel to and from the escort or special event site for traffic officers with split shifts.

(4) "Escort services" means the escort of oversize or overweight vehicles by uniformed traffic officers using authorized law enforcement vehicles, in accordance with ch. Trans 252.

(5) "Inspection time" means the time spent by traffic officers performing a safety inspection, or re-inspection, for any vehicle or load requiring an oversize or overweight permit, and the time spent for travel by traffic officers to and from the inspection site.

(6) "Lodging allowance" means the cost of overnight lodging permitted for individual traffic officers per day as identified in the department's transportation administrative manual, or TAM, 8-6 entitled *Travel Expense Reimbursement Rates and Allowances*.

(7) "Meal allowance" means the cost of meals permitted for individual traffic officers per day as identified in the department's transportation administrative manual, or TAM, 8-6 entitled *Travel Expense Reimbursement Rates and Allowances*.

(8) "Mileage rate" means the cost per mile for operation of a division of state patrol vehicle while performing official duties including special event or escort services.

(9) "Motor carrier" means any person, firm, partnership, corporation, or limited liability company that transports property for hire by motor vehicle upon public highways that requires escort services, including government and military agencies.

(10) "Oversize" means a vehicle or load exceeding the height, length, or width limits in ss. 348.05, 348.06 and 348.07, Stats.

(11) "Overweight" means a vehicle or load exceeding weight limitations in ss. 348.15, 348.16, 348.17 and 348.175, Stats.

(12) "Private motor carrier" means any person, firm, partnership, corporation or limited liability company that transports property by motor vehicle, other than an automobile or trailer, upon public highways, that requires escort services.

(13) "Rate of pay" means a traffic officer's average hourly wage, either for regular time or overtime, including time-off-with-pay percentage and fringe benefits percentage where applicable, as determined by collective bargaining agreement or state of Wisconsin compensation plan.

(14) "Special event" means a public event organized by a private or public organization for which an admission fee is charged for spectators.

(15) "Special event services" means security and traffic enforcement services provided at a special event by the division of state patrol.

(16) "Sponsor" means a private or public organization that organizes a special event.

(17) "Traffic officer" means a division of state patrol officer, including an inspector, with the powers and duties described in s. 110.07, Stats.

(18) "Utility facility project" includes activities related to the installation, inspection, removal, relocation or repair of a utility facility.

(19) "Utility facility project services" means security and traffic enforcement services provided at a utility facility project site by the division of state patrol.

(20) "Vehicle mileage" means all mileage traveled by each state patrol vehicle used for special event or escort services. This includes travel to and from any special event or inspection site, and travel from a traffic officer's residence or work location to the starting point from which special event or escort services are provided. It also includes travel returning from the destination back to a state traffic officer's residence or work location, or travel to and from the escort or special events sites for traffic officers with split shifts.

**Note:** A copy of TAM 8-6, *Travel Expense Reimbursement Rates and Allowances*, may be obtained without cost by writing to the Division of State Patrol, Room 551, P. O. Box 7912, Madison, WI 53707-7912, or by calling (608) 267-3622.

**History:** Cr. Register, May, 2000, No. 533, eff. 6-1-00; CR 02-086: am. (intro.), (14) and (16), r. (1), renum. (18) to be (20), cr. (18) and (19), Register November 2002 No. 563, eff. 12-1-02.

**Trans 320.03 General requirements.** (1) Requests for escort services, special event services and utility facility project services shall be submitted to the district commander of the division of state patrol district in which the special event or utility

facility project shall take place, or in which the escort services shall originate.

(2) Fees for special event services requested by another law enforcement agency shall be charged to the special event sponsor in the same manner as requests received directly from a sponsor.

(3) Requests for special event services shall be submitted at least 48 hours prior to the beginning of the special event.

(4) Costs related to requests for services not made in advance of a special event for which the division of state patrol is ultimately required to provide services, shall be charged to the event sponsor.

(5) Requests for escort services shall be submitted at least 48 hours prior to the beginning of the escort.

(6) Requests for escort services shall be accompanied by a valid oversize or overweight permit issued by the department's division of motor vehicles, bureau of vehicle services, motor carrier services section, or an officer in charge of maintenance of local highways.

(8) Requests to the district commander shall include all of the following:

- (a) Identification of the point of origin and the point of termination for any escort service.
- (b) Identification of the location of the special event.
- (c) Identification of roads and highways to be provided with security and traffic enforcement.
- (d) Identification of the location of the utility facility project.
- (e) Identification of the anticipated starting and ending dates and times for any escort service, or identification of the starting and ending dates and times, including the number of days involved, for any special event or utility facility project for which security and traffic enforcement is to be provided.

(9) The district commander, in compliance with division of state patrol overtime policies, shall determine the number of, and authorize the use of, traffic officers or equipment to be used to provide special events security and traffic control, utility facility project security and traffic control or escort services with priority given to ensuring safe completion of the assignment.

(10) Routes for motor carriers and private motor carriers which require escort services shall be approved by the department's motor carrier services section, which may receive advice from the division of state patrol district commander and the department's division of transportation districts' district engineer.

(11) Fees for special event services may be required to be paid in advance of the special event.

(12) Fees for escort services shall be reimbursed by the motor carrier or private motor carrier no later than 30 days after the motor carrier or private motor carrier receives the bill. For payments not received within 30 days, the department may deny future overweight or oversize permits or escort services for the motor carrier or private motor carrier until payment is received.

(13) Fees for utility facility project services shall be reimbursed by the person or organization who requested the service no later than 30 days after the person or organization receives the bill. For payments not received within 30 days, the department may deny future requests for utility facility project services until payment is received.

(14) Notification of the cancellation of a request for special events services shall be provided to the appropriate division of state patrol district commander no later than 48 hours before the event was scheduled to commence. Failure to notify the district commander within 48 hours shall result in a surcharge of \$100.

(15) Notification of the cancellation of a request for escort services shall be provided to the appropriate division of state patrol district commander as soon as possible, but no later than 24 hours before the scheduled escort date. Failure to notify the dis-

trict commander within 24 hours shall result in a surcharge of \$100.

(16) Notification of the cancellation of a request for utility facility project services shall be provided to the appropriate division of state patrol district commander as soon as possible, but no later than 24 hours before the scheduled project start. Failure to notify the district commander within 24 hours shall result in a surcharge of \$100.

**History:** Cr. Register, May, 2000, No. 533, eff. 6-1-00; CR 02-086: am. (1), renum. (7) to be (8), (9) to (13) to be (1) to (12), (14) and (15), renum. (8) (d) to be (8) (e), (8) to be (9) and am., cr. (8) (d), (13) and (16), Register November 2002 No. 563, eff. 12-1-02.

**Trans 320.04 Formula for determining fees for special events.** (1) The fee formula for special events shall include all of the following:

- (a) Duty hours.
- (b) Rate of pay.
- (c) Vehicle mileage.
- (d) Mileage rate.
- (e) Meal allowance.
- (f) Lodging allowance.
- (g) Number of days.

(2) Special events assignments shall be given as regular duty hours or overtime hours as determined by the district commander in accordance with division of state patrol policy and collective bargaining agreement.

(3) The formula for special events fees shall be calculated as:

(a) [(Number of duty hours per traffic officer) x (duty hour rate of pay)] + [(vehicle mileage per traffic officer) x (mileage rate for type of vehicle used)] + [(meal allowance per traffic officer) x (number of meals per traffic officer)] + [(lodging allowance per day per traffic officer) x (number of days of lodging per traffic officer)] = cost per traffic officer and vehicle for special events services.

(b) Total special events fee = cumulative costs per officer and vehicle.

(c) Total special events fee may not exceed the division of state patrol's reasonable and necessary costs.

**History:** Cr. Register, May, 2000, No. 533, eff. 6-1-00.

**Trans 320.05 Formula for determining fees for escort services.** (1) The fee formula for escort services shall include all of the following:

- (a) Duty hours.
- (b) Rate of pay.
- (c) Vehicle mileage.
- (d) Mileage rate.
- (e) Meal allowance.
- (f) Lodging allowance.
- (g) Number of days.
- (h) Inspection time.

(2) Escort services assignments shall be given as regular duty hours or overtime hours as determined by the district commander in accordance with division of state patrol policy and collective bargaining agreement.

(3) The formula for escort services fees shall be calculated as:

(a) [(Number of duty hours per traffic officer) x (duty hour rate of pay)] + [(vehicle mileage per traffic officer) x (mileage rate for type of vehicle used)] + [(meal allowance per traffic officer) x (number of meals per traffic officer)] + [(lodging allowance per day per traffic officer) x (number of days of lodging per traffic officer)] = cost per traffic officer and vehicle for escort services.

(b) Total escort services fee = cumulative costs per officer and vehicle.

(c) Total escort services fee may not exceed the division of state patrol's reasonable and necessary costs.

**History:** Cr. Register, May, 2000, No. 533, eff. 6-1-00.

**Trans 320.06 Formula for determining fees for utility facility project services.** (1) The fee formula for utility facility project services shall include all of the following:

- (a) Duty hours.
  - (b) Rate of pay.
  - (c) Vehicle mileage.
  - (d) Mileage rate.
  - (e) Meal allowance.
  - (f) Lodging allowance.
  - (g) Number of days.
  - (h) Inspection time.
- (2) Utility facility project services assignments shall be given

as regular duty hours or overtime hours as determined by the district commander in accordance with division of state patrol policy and collective bargaining agreement.

(3) The formula for utility facility project services fees shall be calculated as:

(a) [(Number of duty hours per traffic officer) x (duty hour rate of pay)] + [(vehicle mileage per traffic officer) x (mileage rate for type of vehicle used)] + [(meal allowance per traffic officer) x (number of meals per traffic officer)] + [(lodging allowance per day per traffic officer) x (number of days of lodging per traffic officer)] = cost per traffic officer and vehicle for utility facility project services.

(b) Total utility facility project services fee = cumulative costs per officer and vehicle.

(c) Total utility facility project services fee may not exceed the division of state patrol's reasonable and necessary costs.

**History:** CR 02-086: cr. Register November 2002 No. 563, eff. 12-1-02.