

## CHAPTER 189

### OFFICE OF THE COMMISSIONER OF RAILROADS

189.01 Definitions.

189.02 Office of the commissioner of railroads; powers and duties.

189.03 Transportation plans.

**189.01 Definitions.** In this chapter:

- (1) “Department” means the department of transportation.
- (2) “Office” means the office of the commissioner of railroads.
- (3) “Secretary” means the secretary of transportation.

**History:** 1977 c. 29; 1981 c. 347; 1983 a. 189; 1993 a. 16, 123.

**189.02 Office of the commissioner of railroads; powers and duties.** (1) The office may adopt rules to govern its proceedings and to regulate the mode and manner of hearings.

- (2) The office may employ staff, including hearing examiners.
- (3) The office may administer oaths, subpoena witnesses and documents or other physical evidence, take testimony and cause the taking of depositions.

(3m) (a) Except as provided in s. 15.03, the public service commission shall have no control or jurisdiction over the office in matters relating to railroad regulation.

(b) Notwithstanding par. (a), the commissioner of railroads shall seek the input of, and give considerable weight to the advice given by, the chairperson of the public service commission on matters relating to the employment of persons by the office.

(4) Decisions of the office are not appealable to the public service commission. Decisions of the office are subject to judicial review under ch. 227.

(7) At least 14 days before submitting to the public service commission any personnel or budget request that affects any appropriation to the department of transportation, the office shall notify the secretary of the request.

**History:** 1977 c. 29; 1979 c. 32 s. 92 (1); 1981 c. 347 ss. 22, 80 (1), (2); 1983 a. 27; 1985 a. 182 s. 57; 1993 a. 16, 123; 1999 a. 9; 2005 a. 179.

**189.03 Transportation plans.** In performing its duties and making its decisions the office may consider transportation plans, policies, or other documents if they are admitted into evidence. A party may conduct cross-examinations reasonably required for a full and true disclosure of the facts.

**History:** 1977 c. 29; 1981 c. 347 s. 80 (1); 1993 a. 16, 123.