



## 2005 ASSEMBLY BILL 1169

April 3, 2006 - Introduced by Representatives BENEDICT, TOWNS, SHERIDAN and DAVIS, cosponsored by Senator ROBSON. Referred to Committee on Transportation.

1     **AN ACT** *to amend* 84.01 (21); and *to create* 59.40 (2) (mm), 84.02 (3m), 348.11  
2           (3), 348.21 (5), 814.75 (22mv), 814.75 (22my), 814.79 (9m) and 814.79 (9r) of the  
3           statutes; **relating to:** building a certain vehicle weighing station in Rock  
4           County, building a certain interchange in Rock County, and creating a vehicle  
5           weighing station surcharge for size and weight violations detected at a certain  
6           vehicle weighing station in Rock County.

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### ***Analysis by the Legislative Reference Bureau***

Current law allows the Department of Transportation (DOT) to acquire, construct, and maintain motor vehicle weighing stations for weighing, measuring, or inspecting vehicles and loads operating on any public highway in the state. DOT may also acquire, construct, and maintain interchanges along any public highway in the state.

This bill prohibits DOT from constructing, before January 1, 2057, any motor vehicle weighing station on the southbound lanes of I 39/I 90 in Rock County and prohibits DOT from building an interchange at the intersection of Townline Road and I 90 in Rock County.

Current law also places limits on load, length, width, and weight for vehicles traveling on the highways. Violators may be subject to forfeitures ranging from \$10 to \$300, plus an amount based on how much the violation exceeded permissible limits, depending on the violation. This bill imposes a 10 percent surcharge on all

**ASSEMBLY BILL 1169**

violations that are detected at a vehicle weighing facility located on the northbound lane of I 39/I 90 in Rock County and the surcharge is paid to the town of La Prairie in Rock County.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 59.40 (2) (mm) of the statutes is created to read:

2           59.40 (2) (mm) Pay monthly to the treasurer the amounts required by ss. 348.11  
3 (3) and 348.21 (5) for the motor vehicle weighing facility surcharge. The payments  
4 shall be made by the 15th day of the month following receipt thereof.

5           **SECTION 2.** 84.01 (21) of the statutes is amended to read:

6           84.01 (21) MOTOR VEHICLE WEIGHING STATIONS. The department, as a part of the  
7 improvement and maintenance of highways, may acquire, construct and maintain  
8 lands and facilities, including scales or weighing stations, for weighing, measuring  
9 or inspecting vehicles and loads operating on any public highway in the state. Lands  
10 necessary may be adjacent or contiguous to the highway and weighing station  
11 facilities may be constructed and maintained upon the traveled portion of the  
12 highway or any other part thereof. The department may not construct a motor  
13 vehicle weighing facility on the southbound lanes of I 39/I 90 in Rock County before  
14 January 1, 2057.

15           **SECTION 3.** 84.02 (3m) of the statutes is created to read:

16           84.02 (3m) The department may not construct an interchange at the  
17 intersection of Townline Road and I 90 in Rock County.

18           **SECTION 4.** 348.11 (3) of the statutes is created to read:

**ASSEMBLY BILL 1169**

1           348.11 **(3)** (a) If a court imposes a forfeiture under this section for a violation  
2 that is discovered at a motor vehicle weighing facility located on the northbound  
3 lanes of I 39/I 90 in Rock County, the court shall also impose under ch. 814 a motor  
4 vehicle weighing facility surcharge of 10 percent of the forfeiture amount.

5           (b) The clerk of the circuit court shall collect and transmit the amount of the  
6 motor vehicle weighing facility surcharge to the county treasurer as provided in s.  
7 59.40 (2) (mm). The county treasurer shall then pay this amount to the town of La  
8 Prairie in Rock County.

9           **SECTION 5.** 348.21 (5) of the statutes is created to read:

10           348.21 **(5)** (a) If a court imposes a forfeiture under this section for a violation  
11 that is discovered at a motor vehicle weighing facility located on the northbound  
12 lanes of I 39/I 90 in Rock County, the court shall also impose under ch. 814 a motor  
13 vehicle weighing facility surcharge of 10 percent of the forfeiture amount.

14           (b) The clerk of the circuit court shall collect and transmit the amount of the  
15 motor vehicle weighing facility surcharge to the county treasurer as provided in s.  
16 59.40 (2) (mm). The county treasurer shall then pay this amount to the town of La  
17 Prairie in Rock County.

18           **SECTION 6.** 814.75 (22mv) of the statutes is created to read:

19           814.75 **(22mv)** The motor vehicle weighing facility surcharge under s. 348.11  
20 (3).

21           **SECTION 7.** 814.75 (22my) of the statutes is created to read:

22           814.75 **(22my)** The motor vehicle weighing facility surcharge under s. 348.21  
23 (5).

24           **SECTION 8.** 814.79 (9m) of the statutes is created to read:

25           814.79 **(9m)** The motor vehicle weighing facility surcharge under s. 348.11 (3).

