

State of Wisconsin



1995 Assembly Bill 557

Date of enactment: **December 6, 1995**
Date of publication*: **December 20, 1995**

1995 WISCONSIN ACT 113

(Vetoed in Part)

AN ACT to repeal 20.395 (1) (bq), 20.395 (1) (bu), 20.395 (2) (bt), 85.20 (4m) (am), 85.20 (4m) (e), 86.30 (2) (a) 3. c., 114.002 (4), 114.002 (13), 114.20 (2) (c), 114.20 (7), 114.20 (13) (b) 3., 166.20 (7g) (b) 1. to 8., 343.03 (1) (c), 343.03 (8) and 343.265 (1) (a) and (b); to renumber 85.085 (1) and 343.14 (3); to renumber and amend 20.395 (1) (bw), 85.20 (4m) (a), 114.20 (9) (a) to (c), 166.20 (7g) (b) (intro.), 343.05 (4) (a) 3. and 343.265 (1) (intro.); to amend 20.395 (2) (bu), 20.395 (3) (bq), 20.395 (3) (bv), 20.395 (3) (bx), 20.395 (3) (cq), 20.395 (3) (cv), 20.395 (3) (cx), 20.395 (3) (eq), 20.395 (3) (ev), 20.395 (3) (ex), 20.395 (5) (cq), 20.395 (5) (dk), 20.866 (2) (uv), 20.866 (2) (uw), 70.337 (7), **76.02 (10), 76.03 (1), 76.07 (1), 76.07 (2), 76.07 (4g) (a) 16.**, 78.01 (2) (e), 78.01 (2m) (f), 78.40 (1), 78.75 (1m) (a) 2., 78.75 (1m) (a) 3., 84.013 (3) (ye), 84.076 (5), 84.59 (6), 85.06 (2) (b), 85.061 (3), 85.08 (4m) (e) 1., 85.085 (3), 85.20 (4m) (em) 1., 85.20 (4s), 86.30 (2) (a) 3. d., 86.30 (9), 86.315 (1), 86.32 (2) (am) 7., 110.08 (2), 114.002 (11), 114.20 (1) (title), 114.20 (1) (a), 114.20 (1) (b), 114.20 (2) (intro.), 114.20 (5), 114.20 (9) (d), 114.20 (12), 114.20 (13) (b) 1., 114.20 (13) (b) 2., 114.20 (13) (b) 5., 114.20 (15) (b), 121.555 (2) (c) 1., 218.01 (2) (bd) 1g., 218.01 (2) (bd) 1r., 218.01 (2c) (c), 218.01 (3) (a) 24., 218.01 (3x) (b) 2., 218.01 (3x) (b) 3., 218.01 (3x) (c) 1. (intro.), 218.01 (3x) (c) 2., 218.01 (7m) (a), 218.01 (7m) (c), 340.01 (7m), 340.01 (7r), 341.43, 341.45 (title), 341.45 (1g) (a), 341.45 (1g) (b), 341.45 (2), 341.45 (3), 341.45 (5), 343.02 (1), 343.03 (1) (a), 343.03 (1) (b), 343.03 (5), 343.05 (2) (a) 2., 343.05 (2) (c), 343.055 (5), 343.06 (1) (c), 343.06 (2), 343.065 (title), 343.065 (1), 343.065 (2), 343.10 (2) (a) 1., 343.10 (10) (a), 343.12 (2) (h), 343.16 (1) (a), 343.17 (3) (e) 1., 343.21 (1) (g), 343.23 (2), 343.24 (2m), 343.245 (3) (b) 3. and 4., 343.245 (4) (b), 343.28 (1), 343.28 (2), 343.305 (10) (em), 343.315 (2) (f) (intro.), 343.315 (3) (a), 343.315 (3) (b), 343.32 (4), 343.325 (title), 343.325 (2), 343.325 (3), 343.325 (3m), 343.325 (4), 343.325 (5), 343.325 (6) (a), 343.44 (title), 343.44 (1), 343.44 (3), 344.12, 344.14 (2) (e), 346.70 (1), 348.15 (3) (bg), (br), (bv) and (e), 348.175, 348.19 (2) (b) and (4), 348.27 (4), (9m) and (9r) and 967.055 (2) (a); to repeal and recreate 20.395 (2) (bq) (title), 218.01 (2) (bd) 1g., 218.01 (3x) (b) 2., 218.01 (3x) (b) 3. and 343.03 (1) (title); and to create 20.395 (1) (bw), 20.395 (1) (dq), 20.395 (1) (dr), 20.395 (1) (ds), 20.395 (1) (dt), 20.395 (1) (du), 25.40 (1) (a) 12., 25.40 (2) (b) 15g., 78.005 (13g), 84.013 (2) (d), 84.013 (3) (kb) to (km), **84.183**, 84.61, 85.022 (2), 85.085 (1b), 85.20 (4m) (a) 1. to 5., 85.20 (7), 86.30 (2) (a) 3. e., 86.30 (2) (a) 3. f., 114.20 (9m) (intro.), 341.21, 341.45 (4g), 341.45 (4m), 343.01 (2) (cb), 343.01 (2) (d), 343.027, 343.05 (2) (c) 2., 343.14 (3) (b), 343.21 (1) (jm), 343.21 (1) (m), 343.245 (3) (b) 5., 343.315 (2) (fm), 343.315 (2) (h), 343.315 (2) (i), 343.44 (4r) and 349.02 (3) of the statutes; relating to: state finances and appropriations for the department of transportation; taxation of motor vehicle fuel that is not sold for use on highways; motor vehicle fuel and alternate fuels taxes and qualified motor vehicles; repaving a portion of I 43 in Milwaukee County; rehabilitation of private road crossings; rail passenger service; **funding for** a study of high-speed rail service; creation of a state trunk highway; vehicle accidents resulting in property damage; perfor-

**Vetoed
In Part**

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

Vetoed
In Part

mance of motor vehicle registration and titling functions by motor vehicle dealers; exempting railroad property acquired by the department of transportation from the tax-exempt property reporting requirement; **exempting certain equipment from the utility tax on railroads**; prohibiting the use of photo radar speed detection in the enforcement of state and local traffic laws; registration period and fees applicable to aircraft; creating a reserve fund for state highway rehabilitation associated with a stadium for the Milwaukee Brewers and construction activities on the East-West Freeway; **creation of a high-cost bridge program**; demerit point reduction for completion of a rider course relating to Type 1 motorcycle operation; local transportation aids; the international fuel tax agreement and the oil inspection fee; authorizing construction of additional major highway projects; aids for county forest roads; the urban mass transit operating assistance program; the employment transit assistance program; signatures and digitized images; vehicle weight limit exceptions on a part of the national system of interstate and defense highways; numerous changes to the classified driver license system and commercial motor vehicle operation; eligibility for an occupational license; railroad construction loans; delaying the expiration date of the disadvantaged business demonstration and training program; granting bonding authority; granting rule-making authority; making appropriations; and providing penalties.

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

SECTION 1. 20.005 (3) (schedule) of the statutes, as it affects 20.395 of the statutes, is repealed and recreated to read:

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
20.395 Transportation, department of				
(1) AIDS				
(ar) Corrections of transportation aid payments	SEG	S	-0-	-0-
(as) Transportation aids to counties, state funds	SEG	A	67,587,800	69,615,400
(at) Transportation aids to municipalities, state funds	SEG	A	212,639,400	219,018,600
(bq) Transit operating aids, state funds	SEG	A	52,267,600	-0-
(br) Milwaukee urban area rail transit system planning study, state funds	SEG	A	-0-	-0-
(bs) Demand management and ride-sharing grants, state funds	SEG	A	300,000	300,000
(bt) Urban rail transit system grants	SEG	C	-0-	-0-
(bu) Supplemental transit operating aids, state funds	SEG	A	1,747,600	-0-
(bv) Transit aids, local funds	SEG-L	C	-0-	-0-
(bw) Employment transit aids, state funds	SEG	A	579,100	-0-
(bx) Transit aids, federal funds	SEG-F	C	13,800,000	6,600,000
(by) Employment transit aids, federal funds	SEG-F	C	-0-	-0-
(bz) Employment transit aids, federal oil overcharge funds	SEG-F	C	-0-	-0-
(cq) Elderly and disabled capital aids, state funds	SEG	A	712,300	712,300
(cr) Elderly and disabled county aids, state funds	SEG	A	5,749,600	5,749,600
(cv) Elderly and disabled aids, local funds	SEG-L	C	453,100	453,100
(cx) Elderly and disabled aids, federal funds	SEG-F	C	1,100,000	1,100,000
(dq) Tier I transit operating aids, state funds	SEG	A	10,782,900	43,455,200
(dr) Tier II transit operating aids, state funds	SEG	A	2,722,900	10,973,400
(ds) Tier III transit operating aids, state funds	SEG	A	546,400	2,201,800
(dt) Tier IV transit operating aids, state funds	SEG	A	3,395,600	13,684,300
(du) Tier V transit operating aids, state funds	SEG	A	1,064,700	4,290,700
(ex) Highway safety, local assistance, federal funds	SEG-F	C	1,700,000	1,700,000
(fq) Connecting highways aids, state funds	SEG	A	11,412,400	11,474,900
(fs) Flood damage aids, state funds	SEG	S	600,000	600,000
(ft) Lift bridge aids, state funds	SEG	B	1,400,000	1,400,000
(fu) County forest road aids, state funds	SEG	A	270,800	270,800
(gq) Expressway policing aids, state funds	SEG	A	804,300	804,300

			(1) PROGRAM TOTALS			
SEGREGATED FUNDS					391,636,500	394,404,400
FEDERAL					(16,600,000)	(9,400,000)
OTHER					(374,583,400)	(384,551,300)
LOCAL					(453,100)	(453,100)
TOTAL-ALL SOURCES					391,636,500	394,404,400
(2)	LOCAL TRANSPORTATION ASSISTANCE					
(aq)	Accelerated local bridge improvement assistance, state funds	SEG	C		-0-	-0-
(av)	Accelerated local bridge improvement assistance, local funds	SEG-L	C		-0-	-0-
(ax)	Accelerated local bridge improvement assistance, federal funds	SEG-F	C		-0-	-0-
(bq)	Rail service assistance, state funds	SEG	C		629,800	629,800
(br)	Rail passenger service, state funds	SEG	B		572,500	572,500
(bu)	Freight rail infrastructure improvements, state funds	SEG	C		5,579,800	5,579,800
(bv)	Rail service assistance, local funds	SEG-L	C		500,000	500,000
(bw)	Freight rail assistance loan repayments, local funds	SEG-L	C		-0-	-0-
(bx)	Rail service assistance, federal funds	SEG-F	C		50,000	50,000
(cq)	Harbor assistance, state funds	SEG	C		580,700	580,700
(dq)	Aeronautics assistance, state funds	SEG	C		11,914,000	12,414,000
(dv)	Aeronautics assistance, local funds	SEG-L	C		6,985,200	6,985,200
(dx)	Aeronautics assistance, federal funds	SEG-F	C		20,000,000	20,000,000
(eq)	Highway and local bridge improvement assistance, state funds	SEG	C		7,331,100	7,331,100
(ev)	Local bridge improvement assistance, local funds	SEG-L	C		8,060,400	8,060,400
(ex)	Local bridge improvement assistance, federal funds	SEG-F	C		24,538,200	24,538,200
(fr)	Local roads improvement program, state funds	SEG	C		11,006,200	11,006,200
(fv)	Local transportation facility improvement assistance, local funds	SEG-L	C		25,153,200	25,153,200
(fx)	Local transportation facility improvement assistance, federal funds	SEG-F	C		53,538,000	53,538,000
(gq)	Railroad crossing improvement and protection maintenance, state funds	SEG	A		2,250,000	2,250,000
(gr)	Railroad crossing improvement and protection installation, state funds	SEG	A		450,000	450,000
(gs)	Railroad crossing repair assistance, state funds	SEG	C		-0-	-0-
(gv)	Railroad crossing improvement, local funds	SEG-L	C		-0-	-0-
(gx)	Railroad crossing improvement, federal funds	SEG-F	C		1,849,300	1,849,300
(hq)	Multimodal transportation studies, state funds	SEG	C		750,000	750,000
(hx)	Multimodal transportation studies, federal funds	SEG-F	C		-0-	-0-
(iq)	Transportation facilities economic assistance and development, state funds	SEG	C		3,500,000	3,500,000
(iv)	Transportation facilities economic assistance and development, local funds	SEG-L	C		3,500,000	3,500,000
(iw)	Transportation facility improvement loans, local funds	SEG-L	C		-0-	-0-
(ix)	Transportation facilities economic assistance & development, federal funds	SEG-F	C		-0-	-0-
(jq)	Surface transportation grants, state funds	SEG	C		-0-	-0-
(jv)	Surface transportation grants, local funds	SEG-L	C		680,000	680,000
(jx)	Surface transportation grants, federal funds	SEG-F	C		2,720,000	2,720,000
(kv)	Congestion mitigation and air quality improvement, local funds	SEG-L	C		1,502,400	1,502,400
(kx)	Congestion mitigation and air quality improvement, federal funds	SEG-F	C		6,009,500	6,009,500

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(mq)Local assistance administration, state funds	SEG	A	1,317,300	1,317,300
(mv)Local assistance administration, local funds	SEG-L	C	-0-	-0-
(mx)Local assistance administration, federal funds	SEG-F	C	300,000	300,000
(2) PROGRAM TOTALS				
SEGREGATED FUNDS			201,267,600	201,767,600
FEDERAL			(109,005,000)	(109,005,000)
OTHER			(45,881,400)	(46,381,400)
LOCAL			(46,381,200)	(46,381,200)
TOTAL-ALL SOURCES			201,267,600	201,767,600
(3) STATE HIGHWAY FACILITIES				
(bq) Major highway development, state funds	SEG	C	6,389,700	10,485,000
(br) Major highway development, service funds	SEG-S	C	128,534,800	130,535,300
			108,534,800	110,535,300
(bv) Major highway development, local funds	SEG-L	C	-0-	-0-
(bx) Major highway development, federal funds	SEG-F	C	39,430,400	33,335,100
(cq) State highway rehabilitation, state funds	SEG	C	192,932,000	203,212,100
(cv) State highway rehabilitation, local funds	SEG-L	C	2,000,000	2,000,000
(cx) State highway rehabilitation, federal funds	SEG-F	C	182,993,300	183,088,600
(eq) Highway maintenance, repair and traffic operations, state funds	SEG	B	137,874,700	137,874,700
(ev) Highway maintenance, repair and traffic operations, local funds	SEG-L	C	250,000	250,000
(ex) Highway maintenance, repair and traffic operations, federal funds	SEG-F	C	-0-	-0-
(iq) Administration and planning, state funds	SEG	A	17,040,100	17,040,100
(ir) Disadvantaged business mobilization assistance, state funds	SEG	C	-0-	-0-
(iv) Administration and planning, local funds	SEG-L	C	-0-	-0-
(ix) Administration and planning, federal funds	SEG-F	C	3,175,500	3,175,500
(3) PROGRAM TOTALS				
SEGREGATED FUNDS			710,620,500	720,996,400
FEDERAL			(225,599,200)	(219,599,200)
OTHER			(354,236,500)	(368,611,900)
SERVICE			(128,534,800)	(130,535,300)
LOCAL			(2,250,000)	(2,250,000)
TOTAL-ALL SOURCES			710,620,500	720,996,400
(4) GENERAL TRANSPORTATION OPERATIONS				
(aq) Departmental management and operations, state funds	SEG	A	38,728,800	38,752,200
(ar) Minor construction projects, state funds	SEG	C	321,200	321,200
(as) Information technology development projects	PR-S	A	-0-	-0-
(at) Capital building projects, service funds	SEG-S	C	2,000,000	2,785,400
(av) Departmental management and operations, local funds	SEG-L	C	369,000	369,000
(ax) Departmental management and operations, federal funds	SEG-F	C	6,825,000	6,825,000
(bh) Hazardous materials transportation fees	PR	B	113,600	113,600
(ch) Gifts and grants	PR	C	-0-	-0-
(dq) Demand management	SEG	A	250,500	250,500
(eq) Data processing services, service funds	SEG-S	C	15,109,600	15,109,600
(er) Fleet operations, service funds	SEG-S	C	11,413,900	11,413,900
(es) Other department services, operations, service funds	SEG-S	C	1,119,800	1,119,800
(et) Equipment acquisition	SEG	A	-0-	-0-
(4) PROGRAM TOTALS				
PROGRAM REVENUE			113,600	113,600
OTHER			(113,600)	(113,600)
SERVICE			(-0-)	(-0-)
SEGREGATED FUNDS			76,137,800	76,946,600
FEDERAL			(6,825,000)	(6,825,000)
OTHER			(39,300,500)	(39,323,900)
SERVICE			(29,643,300)	(30,428,700)

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LOCAL			(369,000)	(369,000)
TOTAL-ALL SOURCES			76,251,400	77,060,200
(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				
(cg) Vehicle registration, telephone renewal transactions, state funds	PR	C	-0-	-0-
(ch) Repaired salvage vehicle examinations, state funds	PR	C	-0-	-0-
(cq) Vehicle reg., inspection & maintenance & driver licensing, state funds	SEG	A	59,475,100	59,404,500
(cx) Vehicle registration and driver licensing, federal funds	SEG-F	C	200,000	200,000
(dk) Public safety radio management, service funds	PR-S	C	143,600	143,600
(dq) Vehicle inspection, traffic enforcement and radio management, state funds	SEG	A	38,505,800	38,541,300
(dx) Vehicle inspection and traffic enforcement, federal funds	SEG-F	C	2,029,300	2,029,300
(hq) Motor veh. emission insp. and maint. program; contractor costs; state funds	SEG	A	8,021,700	8,021,700
(hx) Motor vehicle emission inspection and maintenance programs, federal funds	SEG-F	C	-0-	-0-
(iv) Municipal and county registration fee, local funds	SEG-L	C	-0-	-0-
	(5) PROGRAM TOTALS			
PROGRAM REVENUE			143,600	143,600
OTHER			(-0-)	(-0-)
SERVICE			(143,600)	(143,600)
SEGREGATED FUNDS			108,231,900	108,196,800
FEDERAL			(2,229,300)	(2,229,300)
OTHER			(106,002,600)	(105,967,500)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			108,375,500	108,340,400
(6) DEBT SERVICES				
(aq) Principal repayment and interest, transportation facilities, state funds	SEG	S	8,643,300	7,241,500
(ar) Principal repayment and interest, buildings, state funds	SEG	S	686,800	645,100
(as) Transportation facilities and highway projects revenue obligation repayment	SEG	C	-0-	-0-
	(6) PROGRAM TOTALS			
SEGREGATED FUNDS			9,330,100	7,886,600
OTHER			(9,330,100)	(7,886,600)
TOTAL-ALL SOURCES			9,330,100	7,886,600
	20.395 DEPARTMENT TOTALS			
PROGRAM REVENUE			257,200	257,200
OTHER			(113,600)	(113,600)
SERVICE			(143,600)	(143,600)
SEGREGATED FUNDS			1,497,224,400	1,510,198,400
FEDERAL			(360,258,500)	(347,058,500)
OTHER			(929,334,500)	(952,722,600)
SERVICE			(158,178,100)	(160,964,000)
LOCAL			(49,453,300)	(49,453,300)
TOTAL-ALL SOURCES			1,497,481,600	1,510,455,600

SECTION 2m. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

			1995-96	1996-97
20.445	Industry, labor and human relations, department of			
(1)	INDUSTRY, LABOR AND HUMAN RELATIONS			
(uy)	Employment transit aids, state funds	SEG A	-0-	579,100

SECTION 2p. 20.395 (1) (bq) of the statutes is repealed.

SECTION 2pm. 20.395 (1) (bu) of the statutes is repealed.

SECTION 2r. 20.395 (1) (bw) of the statutes is created to read:

20.395 (1) (bw) *Employment transit aids, state funds.* The amounts in the schedule for the employment transit assistance program under s. 85.26.

SECTION 2t. 20.395 (1) (bw) of the statutes, as created by 1995 Wisconsin Act ... (this act), is renumbered 20.445 (1) (uy) and amended to read:

20.445 (1) (uy) *Employment transit aids, state funds.* The ~~From the transportation fund, the~~ amounts in the schedule for the employment transit assistance program under s. ~~85.26~~ 106.26.

SECTION 8dm. 20.395 (1) (dq) of the statutes is created to read:

20.395 (1) (dq) *Tier I transit operating aids, state funds.* The amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 1.

SECTION 8gm. 20.395 (1) (dr) of the statutes is created to read:

20.395 (1) (dr) *Tier II transit operating aids, state funds.* The amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 2.

SECTION 8jm. 20.395 (1) (ds) of the statutes is created to read:

20.395 (1) (ds) *Tier III transit operating aids, state funds.* The amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 3.

SECTION 8mm. 20.395 (1) (dt) of the statutes is created to read:

20.395 (1) (dt) *Tier IV transit operating aids, state funds.* The amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 4.

SECTION 8rm. 20.395 (1) (du) of the statutes is created to read:

20.395 (1) (du) *Tier V transit operating aids, state funds.* The amounts in the schedule for mass transit aids under s. 85.20 (4m) (a) 5.

SECTION 9. 20.395 (2) (bq) (title) of the statutes is repealed and recreated to read:

20.395 (2) (bq) (title) *Rail service assistance, state funds.*

SECTION 10. 20.395 (2) (bt) of the statutes is repealed.

SECTION 11. 20.395 (2) (bu) of the statutes is amended to read:

20.395 (2) (bu) *Freight rail infrastructure improvements, state funds.* As a continuing appropriation, the amounts in the schedule for loans under s. 85.08 (4m) ~~(d)~~ and (e) and to make payments under s. 85.085.

SECTION 13. 20.395 (3) (bq) of the statutes is amended to read:

20.395 (3) (bq) *Major highway development, state funds.* As a continuing appropriation, the amounts in the schedule for major development of state trunk and connecting highways and, before July 1, 1995 ~~October 1, 1997~~, for the disadvantaged business demonstration and training program under s. 84.076.

SECTION 14. 20.395 (3) (bv) of the statutes is amended to read:

20.395 (3) (bv) *Major highway development, local funds.* All moneys received from any local unit of government or other source for major development of state trunk and connecting highways, including the railroad and utility alteration and relocation loan program under s. 84.065, and, before July 1, 1995 ~~October 1, 1997~~, the disadvantaged business demonstration and training program under s. 84.076, for such purposes.

SECTION 15. 20.395 (3) (bx) of the statutes is amended to read:

20.395 (3) (bx) *Major highway development, federal funds.* All moneys received from the federal government for major development of state trunk and connecting highways and, before July 1, 1995 ~~October 1, 1997~~, the disadvantaged business demonstration and training program under s. 84.076, for such purposes.

SECTION 16. 20.395 (3) (cq) of the statutes is amended to read:

20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of existing state trunk and connecting highways; for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements; for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances; for special maintenance activities under s. 84.04 on roadside improvements; for bridges under s. 84.10; for payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8); and, before July 1, 1995 ~~October 1, 1997~~, for the disadvantaged business demonstration and training program under s. 84.076.

SECTION 17. 20.395 (3) (cv) of the statutes is amended to read:

20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received from any local unit of government or other source for the specific information sign program under s. 86.195; for improvement of existing state trunk and connecting highways; for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements; for the construction and rehabilitation of the

national system of interstate and defense highways and bridges and related appurtenances; for special maintenance activities under s. 84.04 on roadside improvements; for the railroad and utility alteration and relocation loan program under s. 84.065 and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and training program under s. 84.076, for such purposes.

SECTION 18. 20.395 (3) (cx) of the statutes is amended to read:

20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys received from the federal government for improvement of existing state trunk and connecting highways; for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements; for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances; for special maintenance activities under s. 84.04 on roadside improvements and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and training program under s. 84.076, for such purposes.

SECTION 19. 20.395 (3) (eq) of the statutes is amended to read:

20.395 (3) (eq) *Highway maintenance, repair and traffic operations, state funds.* Biennially, the amounts in the schedule for the maintenance and repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07 and bridges that are not on the state trunk highway system under s. 84.10; for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and training program under s. 84.076. This paragraph does not apply to special maintenance activities under s. 84.04 on roadside improvements.

SECTION 20. 20.395 (3) (ev) of the statutes is amended to read:

20.395 (3) (ev) *Highway maintenance, repair and traffic operations, local funds.* All moneys received from any local unit of government or other sources for the maintenance and repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07 and bridges that are not on the state trunk highway system under s. 84.10; for signing under s. 86.195; for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and training program under s. 84.076; for such purposes. This paragraph

does not apply to special maintenance activities under s. 84.04 on roadside improvements.

SECTION 21. 20.395 (3) (ex) of the statutes is amended to read:

20.395 (3) (ex) *Highway maintenance, repair and traffic operations, federal funds.* All moneys received from the federal government for the maintenance and repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07 and bridges that are not on the state trunk highway system under s. 84.10; for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and training program under s. 84.076; for such purposes. This paragraph does not apply to special maintenance activities under s. 84.04 on roadside improvements.

SECTION 23. 20.395 (5) (cq) of the statutes is amended to read:

20.395 (5) (cq) *Vehicle registration, inspection and maintenance and driver licensing, state funds.* The amounts in the schedule for administering the vehicle registration and driver licensing program, including the traffic violation and registration program and the driver license reinstatement training program under s. 85.28, for administering the motor vehicle emission inspection and maintenance program under s. 110.20, for the training of inspectors under s. 110.22, for administering the fuel tax and fee reporting program under s. 341.45 and to compensate for services performed, as determined by the secretary of transportation, by any county providing registration services.

SECTION 24. 20.395 (5) (dk) of the statutes is amended to read:

20.395 (5) (dk) *Public safety radio management, service funds.* From the general fund, all moneys received by the department from the department and from other state agencies for purposes related to the statewide public safety radio management program under s. 85.12, for that purpose.

SECTION 29. 20.866 (2) (uv) of the statutes is amended to read:

20.866 (2) (uv) *Transportation, harbor improvements.* From the capital improvement fund, a sum sufficient for the department of transportation to provide grants for harbor improvements. The state may contract public debt in an amount not to exceed \$9,000,000 \$12,000,000 for this purpose.

SECTION 30. 20.866 (2) (uw) of the statutes is amended to read:

20.866 (2) (uw) *Transportation; rail acquisitions and improvements.* From the capital improvement fund, a sum sufficient for the department of transportation to acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and loans for rail property

Vetoed
In Part

acquisitions and improvements under s. 85.08 (4m) (c) and (d); and to credit the appropriation account under s. 20.395 (2) (bt) as reimbursement for initial temporary funding of acquisitions, grants or loans authorized under 1993 Wisconsin Act 16, section 9154 (4n). The state may contract public debt in an amount not to exceed \$10,000,000 \$14,500,000 for these purposes.

SECTION 35. 25.40 (1) (a) 12. of the statutes is created to read:

25.40 (1) (a) 12. Fees collected under s. 341.45 (1g) (a) that are required under s. 341.45 (4m) to be deposited in the petroleum inspection fund.

SECTION 36m. 25.40 (2) (b) 15g. of the statutes is created to read:

25.40 (2) (b) 15g. Section 20.445 (1) (uy).

SECTION 37b. 70.337 (7) of the statutes is amended to read:

70.337 (7) This section does not apply to property that is exempt under s. 70.11 (13), (13m), (15), (15m), (21) or (30), property that is exempt under s. 70.11 (18) if a payment in lieu of taxes is made for that property, lake beds owned by the state, state forests under s. 28.03 or 28.035, county forests under s. 28.10, property acquired by the department of transportation under s. 85.08 or 85.09 or highways, as defined in s. 340.01 (22).

Vetoed In Part **SECTION 40t.** 76.02 (10) of the statutes is amended to read:

76.02 (10) The property taxable under s. 76.13 shall include all franchises, and all real and personal property of the company used or employed in the operation of its business, except such motor vehicles as are exempt under s. 70.112 (5) and treatment plant and pollution abatement equipment exempt under s. 70.11 (21) (a) and, in the case of railroad companies, rolling stock. The taxable property shall include all title and interest of the company referred to in such property as owner, lessee or otherwise, and in case any portion of the property is jointly used by 2 or more companies, the unit assessment shall include and cover a proportionate share of that portion of the property jointly used so that the assessments of the property of all companies having any rights, title or interest of any kind or nature whatsoever in any such property jointly used shall, in the aggregate, include only one total full value of such property.

SECTION 40u. 76.03 (1) of the statutes is amended to read:

76.03 (1) The property, both real and personal, including all rights, franchises and privileges used in and necessary to the prosecution of the business of any company enumerated in s. 76.02, but excluding property that is exempt under s. 76.02 (10), shall be deemed personal property for the purposes of taxation, and shall be valued and assessed together as a unit.

SECTION 40v. 76.07 (1) of the statutes is amended to read:

76.07 (1) **DUTY OF DEPARTMENT.** The department on or before August 1 in each year in the case of railroad companies and sleeping car companies, and on or before September 15 in the case of air carrier companies, telephone companies, conservation and regulation companies and pipeline companies, shall, according to its best knowledge and judgment, ascertain and determine the full market value of the property, except the property of railroad companies that is exempt under s. 76.02 (10), of each company within the state.

SECTION 40w. 76.07 (2) of the statutes is amended to read:

76.07 (2) **RELATION TO STATE VALUATION; DESCRIPTION.** The value of the property of each of said companies for assessment shall be made on the same basis and for the same period of time, as near as may be, as the value of the general property of the state is ascertained and determined. The department shall prepare an assessment roll and place thereon after the name of each of said companies assessed, the following general description of the property of such company, to wit: “Real estate, right-of-way, tracks, stations, terminals, appurtenances, ~~rolling stock,~~ equipment, franchises and all other real estate and personal property, except property that is exempt under s. 76.02 (10), of said company,” in the case of railroads, and “Real estate, right-of-way, poles, wires, conduits, cables, devices, appliances, instruments, franchises and all other real and personal property of said company,” in the case of conservation and regulation companies, and “Real estate, appurtenances, rolling stock, equipment, franchises, and all other real estate and personal property of said company,” in the case of sleeping car and air carrier companies, and “Land and land rights, structures, improvements, mains, pumping and regulation equipment, services, appliances, instruments, franchises and all other real and personal property of said company,” in the case of pipeline companies, and “All property of the company used in the operation of the company’s telephone business” in the case of telephone companies, which description shall be deemed and held to include the entire property and franchises of the company specified and all title and interest therein.

SECTION 40x. 76.07 (4g) (a) 16. of the statutes is amended to read:

76.07 (4g) (a) 16. Multiply the fraction under subd. 15. by the full market value of the company’s property, except the property that is exempt under s. 76.02 (10), everywhere.

SECTION 41. 78.005 (13g) of the statutes is created to read:

78.005 (13g) “Recreational motorboat” means a motorboat used predominantly for the entertainment, amusement or recreation of the owner of the motorboat, whether or not it is used in a trade or business.

SECTION 42. 78.01 (2) (e) of the statutes is amended to read:

78.01 (2) (e) Gasoline sold for nonhighway use in mobile machinery and equipment; other than use in a snowmobile, an all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or a recreational motorboat; and delivered directly into the consumer's storage tank in an amount of not less than 100 gallons.

SECTION 43. 78.01 (2m) (f) of the statutes is amended to read:

78.01 (2m) (f) It is sold for off-highway use other than use in a snowmobile, an all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or a recreational motorboat or if no claim for a refund for the tax on the diesel fuel may be made under s. 78.75 (1m) (a) 3.

SECTION 47. 78.40 (1) of the statutes is amended to read:

78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate determined under s. 78.405 is imposed on the use of alternate fuels. The tax, with respect to all alternate fuel delivered by an alternate fuel dealer into supply tanks of motor vehicles in this state, attaches at the time of delivery and shall be collected by the dealer from the alternate fuels user and shall be paid to the department. The tax, with respect to alternate fuels acquired by any alternate fuels user other than by delivery by an alternate fuel dealer into a fuel supply tank of a motor vehicle, or of a snowmobile, an all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or a recreational motorboat, attaches at the time of the use of the fuel and shall be paid to the department by the user. The department may permit any supplier of alternate fuels to report and pay to the department the tax on alternate fuels delivered into the storage facility of an alternate fuels user or retailer which will be consumed for alternate fuels tax purposes or sold at retail.

SECTION 50. 78.75 (1m) (a) 2. of the statutes is amended to read:

78.75 (1m) (a) 2. A person who uses motor vehicle fuel or an alternate fuel upon which has been paid the tax required under this chapter for the purpose of operating a snowmobile, as defined under s. 340.01 (58a), an aircraft, as defined under s. 78.55 (2), or a motorboat, as defined under s. 30.50 (6), unless the motorboat is exempt from registration as a motor vehicle under s. 341.05 (20) not a recreational motorboat, may not be reimbursed or repaid the amount of tax paid.

SECTION 51. 78.75 (1m) (a) 3. of the statutes is amended to read:

78.75 (1m) (a) 3. Claims under subd. 1. shall be made and filed upon forms prescribed and furnished by the department. The forms shall indicate that refunds are not available for motor vehicle fuel or alternate fuels used for motorboats, except motorboats exempt from registration as motor vehicles under s. 341.05 (20) and recreational motorboats, or motor vehicle fuel or alternate fuels used

for snowmobiles and that the estimated snowmobile motor vehicle fuel or alternate fuels tax payments are used for snowmobile trails and areas. The forms shall indicate that refunds are not available for motor vehicle fuel or alternate fuels used for all-terrain vehicles unless the all-terrain vehicle is registered for private use under s. 23.33 (2) (d) and shall indicate that estimated all-terrain vehicle motor vehicle fuel or alternate fuels tax payments are used for all-terrain vehicle trails and areas. The forms shall also indicate that refunds are not available for the tax on less than 100 gallons. The department shall distribute forms in sufficient quantities to each county clerk.

SECTION 51m. 84.013 (2) (d) of the statutes is created to read:

84.013 (2) (d) The department shall complete any major highway project involving STH 29 from Green Bay to Chippewa Falls in Brown, Shawano, Marathon, Clark and Chippewa counties by December 31, 2000.

SECTION 53. 84.013 (3) (kb) to (km) of the statutes are created to read:

84.013 (3) (kb) USH 151 extending approximately 18.2 miles between USH 151 west of Belmont and STH 23 south of Dodgeville, designated as the Belmont to Dodgeville project, in Lafayette and Iowa counties.

(kg) STH 16 and STH 16/67 extending approximately 7.4 miles from the junction of STH 16 with the Rock River to the STH 16/67 interchange east of Oconomowoc, designated as the Oconomowoc bypass, in Jefferson and Waukesha counties.

(km) USH 53 extending approximately 7.5 miles between USH 53 south of the USH 53/STH 93 interchange in Eau Claire and the USH 53/STH 124 interchange south of Chippewa Falls, designated as the Eau Claire freeway, in Eau Claire and Chippewa counties.

SECTION 54. 84.013 (3) (ye) of the statutes is amended to read:

84.013 (3) (ye) USH 10 between Appleton and Marshfield, in Winnebago, Outagamie, Waupaca, Portage and Wood counties.

SECTION 55. 84.076 (5) of the statutes is amended to read:

84.076 (5) SUNSET. This section does not apply after ~~June 30, 1995~~ September 30, 1997.

SECTION 56m. 84.183 of the statutes is created to read:

84.183 High-cost bridge program. (1) In this section, "high-cost bridge" means a bridge on the state trunk highway system that has a deck area greater than 40,000 square feet, or a lift bridge.

(2) The department shall administer a high-cost bridge program to fund the rehabilitation of high-cost bridges. Except as provided in sub. (3), the department may not encumber less than any of the following from the appropriations under s. 20.395 (3) (cq) and (cx) for the cost of constructing or reconstructing high-cost bridges:

**Vetoed
In Part**

Vetoed In Part (a) In fiscal year 1995-96, \$20,800,000.
 (b) In fiscal year 1996-97, \$21,400,000.
 (c) In fiscal year 1997-98, \$22,100,000.
 (d) In fiscal year 1998-99, \$22,700,000.
 (3) The department may encumber less in any fiscal year than the applicable amount specified in sub. (2) if the department first notifies the joint committee on finance in writing of the proposed encumbrance. If the cochairpersons of the committee do not notify the department within 14 working days after the date of the department's notification that the committee has scheduled a meeting to review the proposed encumbrance, the department may make the proposed encumbrance. If, within 14 working days after the date of the department's notification, the cochairpersons of the committee notify the department that the committee has scheduled a meeting to review the proposed encumbrance, the department may make the proposed encumbrance only upon approval of the committee.

SECTION 57. 84.59 (6) of the statutes is amended to read:

84.59 (6) Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Revenue obligations issued under this section shall

Vetoed In Part not exceed ~~\$950,834,000~~ **\$1,123,638,100**
Vetoed In Part **\$1,083,638,100** in principal amount, excluding obligations issued to refund outstanding revenue obligations.
Vetoed In Part Not more than ~~\$841,634,000~~ **\$1,081,341,000**
Vetoed In Part **\$1,041,341,000** of the ~~\$950,834,000~~ **\$1,123,638,100**
Vetoed In Part **\$1,083,638,100** may be used for transportation facilities under s. 84.01 (28) and major highway projects under ss. 84.06 and 84.09.

SECTION 57m. 84.61 of the statutes is created to read:

Vetoed In Part **84.61 Milwaukee Brewers stadium project; East-West Freeway.** (1) (a) There is established in the transportation fund a reserve account consisting of \$15,000,000 for the purpose of funding state highway rehabilitation associated with the construction of a new stadium to be used by the Milwaukee Brewers, a professional baseball team located in Milwaukee County, or construction activities relating to highway resurfacing or bridge repair on the East-West Freeway from downtown Milwaukee to Waukesha. The department may **submit a request to the joint committee on finance to provide funding from the reserve account for either of the projects specified in this paragraph.**

Vetoed In Part (b) Notwithstanding s. 13.101 (3) (a), the joint committee on finance may supplement, from the reserve account established under par. (a), the appropriation under s. 20.395 (3) (cq), for either of the projects specified in par. (a). The reserve account shall be reduced by the amount of any supplemental appropriation made under this paragraph. **If the joint committee on finance makes**

a supplemental appropriation for one of the projects specified in par. (a), the department may not request that any supplemental appropriation be made under this subsection for the other project specified in par. (a).

Vetoed In Part

(2) (a) There is established in the transportation fund a reserve account consisting of \$13,349,000 for the purpose of funding construction activities relating to highway resurfacing or bridge repair on the East-West Freeway from downtown Milwaukee to Waukesha.

(b) Notwithstanding s. 13.101 (3) (a), the joint committee on finance may supplement, from the reserve account established under par. (a), the appropriation under s. 20.395 (3) (cq), for the project specified in par. (a). The reserve account shall be reduced by the amount of any supplemental appropriation made under this paragraph.

(3) (a) There is established in the transportation fund on July 1, 1996, a supplemental reserve account consisting of \$13,349,000 for the purpose of funding construction activities relating to highway resurfacing or bridge repair on the East-West Freeway from downtown Milwaukee to Waukesha.

(b) Notwithstanding s. 13.101 (3) (a), the joint committee on finance may supplement, from the reserve account established under par. (a), the appropriation under s. 20.395 (3) (cq), for the project specified in par. (a). The reserve account shall be reduced by the amount of any supplemental appropriation made under this paragraph.

(4) The department may not encumber any funds in the 1995-97 fiscal biennium for the purpose of funding state highway rehabilitation associated with the construction of a new stadium to be used by the Milwaukee Brewers, a professional baseball team located in Milwaukee County, or construction activities relating to highway resurfacing or bridge repair on the East-West Freeway from downtown Milwaukee to Waukesha except as provided in this section. This subsection does not apply to the encumbrance of funds pursuant to a federal demonstration grant.

(5) This section does not apply after June 30, 1999.

SECTION 57mm. 85.022 (2) of the statutes is created to read:

85.022 (2) (a) The department shall **allocate \$250,000 in each fiscal year of the 1995-97 biennium from the appropriation under s. 20.395 (2) (hq) for a study of high-speed rail service in the southern transportation corridor between this state and the state of Minnesota.**

Vetoed In Part

(b) 1. Except as provided in subd. 2., funds may be expended under par. (a) only to match funds, at the ratio of 1 to 1, from the state of Minnesota for the study.

2. No funds may be expended under par. (a) unless the federal government contributes funds for a study under par. (a) in an amount equal to the total amount of funds from this state and the state of Minnesota for the study.

SECTION 57p. 85.06 (2) (b) of the statutes is amended to read:

85.06 (2) (b) Contract with Amtrak or an applicable railroad to provide rail passenger service.

SECTION 57r. 85.061 (3) of the statutes is amended to read:

85.061 (3) PROGRAM. The department shall administer a rail passenger route development program. From the appropriation under s. 20.866 (2) (up), the department may fund capital costs related to Amtrak service extension routes or other rail service routes between the cities of Milwaukee and Madison and between the cities of Milwaukee and Green Bay. ~~The extension of the Any~~ route between the cities of Milwaukee and Green Bay funded under the program shall provide service to population centers along the route in a manner that makes the route most economically feasible. The department may not use any proceeds from the bond issue authorized under s. 20.866 (2) (up) ~~for the extension of a route under this subsection unless the department submits evidence to the joint committee on finance that Amtrak or the applicable railroad has agreed to provide rail passenger service on that extension route and the joint committee on finance approves the use of the proceeds.~~ The department may contract with Amtrak, railroads or other persons to perform the activities under this subsection.

SECTION 58. 85.08 (4m) (e) 1. of the statutes is amended to read:

85.08 (4m) (e) 1. Upon the request of an eligible applicant, the department may negotiate and enter into a loan agreement with the eligible applicant for purposes of rehabilitating a rail line or to finance an economic development and transportation efficiency project, including a project designed to promote safety or the viability of a statewide system of freight rail service, to assist intermodal freight movement or to provide industry access to a rail line. A loan made under this paragraph shall finance a project that confers a public benefit or enhances economic development in this state. Loans made under this paragraph shall be paid from the appropriation under s. 20.395 (2) ~~(bt)~~, (bu), (bw) or (bx).

SECTION 59. 85.085 (1) of the statutes is renumbered 85.085 (1m).

SECTION 60. 85.085 (1b) of the statutes is created to read:

85.085 (1b) In this section, "rehabilitated" means a significant rebuilding of railroad track that restores severely deteriorated track to a minimum service standard or, for track that is at or above a minimum service standard, that increases the service standard of the track.

SECTION 61. 85.085 (3) of the statutes is amended to read:

85.085 (3) The department shall not make any payment under this section unless the applicable private road crossing permit provides that the rail transit commission shall, at the user's sole cost and expense, maintain, repair and renew the private road crossing. "Maintain, repair and renew" does not include any rebuilding of a private

road crossing that is required because the applicable tracks have been rehabilitated.

SECTION 62. 85.20 (4m) (a) of the statutes is renumbered 85.20 (4m) (a) (intro.) and amended to read:

85.20 (4m) (a) (intro.) ~~From the amounts appropriated under s. 20.395 (1) (bq), an amount equal to 42% of the projected operating expenses of each eligible applicant's urban mass transit system. An amount shall be allocated to each eligible applicant, to ensure that the sum of state and federal aids for the projected operating expenses of each eligible applicant's urban mass transit system is equal to a uniform percentage, established by the department, of the projected operating expenses of the mass transit system. The department shall make allocations as follows:~~

SECTION 63m. 85.20 (4m) (a) 1. to 5. of the statutes are created to read:

85.20 (4m) (a) 1. a. From the appropriation under s. 20.395 (1) (dq), the uniform percentage for each eligible applicant in an urban area served by an urban mass transit system with annual operating expenses in excess of \$80,000,000.

b. For the purpose of making allocations under subd. 1. a., the amounts for aids are \$43,131,700 in calendar year 1996 and \$44,425,700 in calendar year 1997 and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

2. a. From the appropriation under s. 20.395 (1) (dr), the uniform percentage for each eligible applicant in an urban area served by an urban mass transit system with annual operating expenses greater than \$20,000,000 but not more than \$80,000,000.

b. For the purpose of making allocations under subd. 2. a., the amounts for aids are \$10,891,700 in calendar year 1996 and \$11,218,500 in calendar year 1997 and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

3. a. From the appropriation under s. 20.395 (1) (ds), the uniform percentage for each eligible applicant in an urbanized area having a population as shown in the 1990 federal decennial census of more than 200,000 or receiving federal mass transit aid for such area, and not specified in subd. 1. or 2.

b. For the purpose of making allocations under subd. 3. a., the amounts for aids are \$2,185,400 in calendar year 1996 and \$2,251,000 in calendar year 1997 and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

4. a. From the appropriation under s. 20.395 (1) (dt), the uniform percentage for each eligible applicant served by an urban mass transit system operating within an urbanized area having a population as shown in the 1990 federal decennial census of at least 50,000 or receiving

federal mass transit aid for such area, and not specified in subd. 1., 2. or 3.

b. For the purpose of making allocations under subd. 4. a., the amounts for aids are \$13,582,400 in calendar year 1996 and \$13,989,900 in calendar year 1997 and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

Vetoed In Part 5. a. From the appropriation under s. 20.395 (1) (du), the uniform percentage for each eligible applicant served by an urban mass transit system operating within an urbanized area having a population as shown in the 1990 federal decennial census of less than 50,000 or receiving federal mass transit aid for such area.

b. For the purpose of making allocations under subd. 5. a., the amounts for aids are \$4,258,800 in calendar year 1996 and \$4,386,600 in calendar year 1997 and thereafter. These amounts, to the extent practicable, shall be used to determine the uniform percentage in the particular calendar year.

SECTION 64. 85.20 (4m) (am) of the statutes is repealed.

SECTION 65. 85.20 (4m) (e) of the statutes is repealed.

SECTION 66b. 85.20 (4m) (em) 1. of the statutes is amended to read:

85.20 (4m) (em) 1. An amount equal to 42% the same percentage of the audited operating expenses for the project year of the applicant's urban mass transit system that is specified for allocations to the applicant under par. (a) 1. to 5.

SECTION 67b. 85.20 (4s) of the statutes is amended to read:

85.20 (4s) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed between the department and eligible applicants under this section shall provide that the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the state's fiscal year shall be provided from the following fiscal year's appropriation under s. 20.395 (1) ~~(be) (dq), (dr), (ds), (dt) or (du).~~

SECTION 68b. 85.20 (7) of the statutes is created to read:

85.20 (7) COST-EFFICIENCY STANDARDS. (a) The department shall establish cost-efficiency standards for the urban mass transit system specified in sub. (4m) (a) 1. to 5. The contracts executed between the department and eligible applicants under this section for any period beginning on or after January 1, 1997, shall provide that the department may do any of the following if costs are incurred by the eligible applicant's urban mass transit system which are inconsistent with the standards established under this subsection:

1. Exclude those costs from operating expenses for purposes of sub. (4m).

2. Reduce the amount of state aid allocation under sub. (4m) (a).

(b) The department shall specify by rule the cost-efficiency standards under this subsection, including rules for the implementation of par. (a) 1. and 2.

SECTION 76m. 86.30 (2) (a) 3. c. of the statutes is repealed.

SECTION 77m. 86.30 (2) (a) 3. d. of the statutes is amended to read:

86.30 (2) (a) 3. d. In calendar year 1995 ~~and thereafter~~, \$1,350.

SECTION 78m. 86.30 (2) (a) 3. e. of the statutes is created to read:

86.30 (2) (a) 3. e. In calendar year 1996, \$1,390.

SECTION 79m. 86.30 (2) (a) 3. f. of the statutes is created to read:

86.30 (2) (a) 3. f. In calendar year 1997 and thereafter, \$1,432.

SECTION 80m. 86.30 (9) of the statutes is amended to read:

86.30 (9) AIDS CALCULATIONS. (b) For the purpose of calculating and distributing aids under sub. (2), the amounts for aids to counties are ~~\$63,392,900 in calendar year 1994 and \$66,588,900 in calendar year 1995,~~ \$68,586,600 in calendar year 1996 and \$70,644,200 in calendar year 1997 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide county average cost-sharing percentage in the particular calendar year.

(c) For the purpose of calculating and distributing aids under sub. (2), the amounts for aids to municipalities are ~~\$197,814,700 in calendar year 1994 and \$209,496,900 in calendar year 1995,~~ \$215,781,800 in calendar year 1996 and \$222,255,300 in calendar year 1997 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide municipal average cost-sharing percentage in the particular calendar year.

SECTION 82m. 86.315 (1) of the statutes is amended to read:

86.315 (1) From the appropriation under s. 20.395 (1) (fu), the department shall annually, on March 10, pay to counties having county forests established under ch. 28, for the improvement of public roads within the county forests which are open and used for travel and which are not state or county trunk highways or town roads and for which no aids are paid under s. 86.30, the amount of ~~\$200~~ \$300 per mile of road designated in the comprehensive county forest land use plan as approved by the county board and the department of natural resources. If the amount appropriated under s. 20.395 (1) (fu) is insufficient to make the ~~\$200~~ \$300 per mile payments under this subsection, the department shall prorate the amount appropriated in the manner it deems desirable.

SECTION 83m. 86.32 (2) (am) 7. of the statutes is amended to read:

86.32 (2) (am) 7. For 1995 ~~and thereafter~~, \$10,468 per lane mile for municipalities having a population over

500,000; \$9,696 per lane mile for municipalities having a population of 150,001 to 500,000; \$8,641 per lane mile for municipalities having a population of 35,001 to 150,000; \$7,612 per lane mile for municipalities having a population of 10,000 to 35,000; and \$6,558 per lane mile for municipalities having a population under 10,000.

SECTION 86. 110.08 (2) of the statutes is amended to read:

110.08 (2) Except as provided under s. 343.16 (1) (b) and (c), all examinations for operator's licenses and permits shall be given by state examiners.

SECTION 87. 114.002 (4) of the statutes is repealed.

SECTION 88. 114.002 (11) of the statutes is amended to read:

114.002 (11) "Antique aircraft" means an aircraft ~~more than 35 years old as determined by the~~ which has a date of manufacture of 1955 or earlier and which is used solely for recreational or display purposes.

SECTION 89. 114.002 (13) of the statutes is repealed.

SECTION 90. 114.20 (1) (title) of the statutes is amended to read:

114.20 (1) (title) ~~ANNUAL~~ REGISTRATION REQUIRED.

SECTION 91. 114.20 (1) (a) of the statutes is amended to read:

114.20 (1) (a) Except as provided under sub. (2), all aircraft based in this state shall be registered by the owner of the aircraft with the department annually on or before November 1 or, for aircraft with a maximum gross weight of not more than 3,000 pounds that are not subject to sub. (10), biennially on or before the first November 1. Annual registration fees shall be determined in accordance with sub. (9) or (10). Biennial registration fees shall be determined in accordance with sub. (9m).

SECTION 92. 114.20 (1) (b) of the statutes is amended to read:

114.20 (1) (b) Aircraft determined by the department to be based in this state shall be subject to the annual or biennial registration fees under sub. (9) or (9m). Aircraft which are determined to be not based in this state shall be exempt from the annual or biennial registration fees.

SECTION 93. 114.20 (2) (intro.) of the statutes is amended to read:

114.20 (2) (title) ~~EXCEPTIONS TO ANNUAL~~ REGISTRATION REQUIREMENTS. (intro.) The ~~annual~~ registration requirements under sub. (1) do not apply to aircraft based in this state that are:

SECTION 94. 114.20 (2) (c) of the statutes is repealed.

SECTION 95. 114.20 (5) of the statutes is amended to read:

114.20 (5) ~~UNAIRWORTHY AIRCRAFT.~~ Any person desiring to have an aircraft designated as an unairworthy aircraft may apply to the department in the manner the department prescribes. No application may be acted upon unless all information requested is supplied. Upon receipt of an application and a registration fee of \$5 to be

established by rule and after determining from the facts submitted and investigation that the aircraft qualifies as an unairworthy aircraft, the department shall issue an unairworthy aircraft certificate. The certificate shall expire upon transfer of ownership or restoration. An aircraft is presumed restored if it is capable of operation. The annual or biennial registration fee is due on the date of restoration. Operation of the aircraft is conclusive evidence of restoration. ~~An additional administrative fee of \$5~~ A late payment charge to be established by rule shall be ~~charged~~ assessed on all applications filed later than 30 days after the date of restoration.

SECTION 96. 114.20 (7) of the statutes is repealed.

SECTION 97. 114.20 (9) (a) to (c) of the statutes are renumbered 114.20 (9m) (a) to (c) and amended to read:

114.20 (9m) (a) Not more than 2,000 . . .	\$ 30	\$ 60
(b) Not more than 2,500	39	78
(c) Not more than 3,000 . . .	50	100

SECTION 98. 114.20 (9) (d) of the statutes is amended to read:

114.20 (9) (d) Not more than 3,500 . . .

70 \$ 70

SECTION 99. 114.20 (9m) (intro.) of the statutes is created to read:

114.20 (9m) BIENNIAL REGISTRATION FEES. (intro.) Except as provided in sub. (10), the owner of an aircraft subject to the biennial registration requirements under sub. (1) shall pay a biennial registration fee established in accordance with the following gross weight schedule:

[Maximum gross	[Annual
Weight in pounds]	fee]

SECTION 100. 114.20 (12) of the statutes is amended to read:

114.20 (12) (title) ~~INITIAL ANNUAL~~ REGISTRATION. For new aircraft, aircraft not previously registered in this state or unregistered aircraft for which annual registration is required under sub. (9), the fee for the initial year of registration shall be computed from the date of purchase, restoration, completed construction or entry of the aircraft into this state on the basis of one-twelfth of the registration fee specified in sub. (9) multiplied by the remaining number of months in the current registration year which are not fully expired. For new aircraft, aircraft not previously registered in this state or unregistered aircraft for which biennial registration is required under sub. (9m), the fee for the initial 2-year period of registration shall be computed from the date of purchase, restoration, completed construction or entry of the aircraft into this state on the basis of one twenty-fourth of the registration fee specified in sub. (9m) multiplied by the remaining number of months in the current 2-year registration period which are not fully expired. Application for registration shall be filed within 30 days from the date of purchase, restoration, completed construction or entry of the aircraft into this state and if filed after that date an additional administrative fee of \$5 shall be charged. If the date of purchase, restoration, completed construction or

entry into this state is not provided by the applicant, the full annual or biennial registration fee provided in sub. (9) or (9m) shall be charged for registering the aircraft.

SECTION 101. 114.20 (13) (b) 1. of the statutes is amended to read:

114.20 (13) (b) 1. If an annual or biennial registration fee is not paid by November 1, from November 2 to the following April 30, the department shall add a late payment charge of \$50 or 10% of the amount specified for the registration under sub. (9), (9m) or (10), whichever is greater, to the fee.

SECTION 102. 114.20 (13) (b) 2. of the statutes is amended to read:

114.20 (13) (b) 2. If an annual or biennial registration fee is not paid by the following April 30, from May 1 to October 31 or, for a biennial registration, the end of the biennial period, the department shall add a late payment charge of \$50 or 20% of the amount specified for the registration under sub. (9), (9m) or (10), whichever is greater, to the fee.

SECTION 103. 114.20 (13) (b) 3. of the statutes is repealed.

SECTION 104. 114.20 (13) (b) 5. of the statutes is amended to read:

114.20 (13) (b) 5. This paragraph applies after October 31, 1989 1995.

SECTION 105. 114.20 (15) (b) of the statutes is amended to read:

114.20 (15) (b) The lien against the aircraft for the original registration fee shall attach at the time the fee is first payable, ~~and the lien for all renewals of annual registration shall attach on November 1 of each year thereafter and the lien for all renewals of biennial registration shall attach on the first November of the registration period and every 2 years thereafter.~~

SECTION 106. 121.555 (2) (c) 1. of the statutes is amended to read:

121.555 (2) (c) 1. Shall possess a valid Wisconsin operator's license or a valid operator's license issued by another jurisdiction, as defined in s. 340.01 (41m), or a valid commercial driver license issued by Mexico.

SECTION 107b. 166.20 (7g) (b) (intro.) of the statutes is renumbered 166.20 (7g) (b) and amended to read:

166.20 (7g) (b) The ~~board shall base the amount of the fees under this subsection on one or more of the following factors:~~ shall be the amount of the fees established in s. ERB 4.03 (2), Wis. adm. code, as shown on June 30, 1995.

SECTION 107g. 166.20 (7g) (b) 1. to 8. of the statutes are repealed.

SECTION 109g. 218.01 (2) (bd) 1g. of the statutes is amended to read:

218.01 (2) (bd) 1g. The manufacturer, distributor or importer shall send a notice of discontinuation or cancellation by certified mail, and forward a copy of the notice to the department, not less than 20 days before the ef-

fective date of discontinuation or cancellation of the agreement, if the dealer or distributor fails to conduct its customary sales and service operations during its customary business hours for 7 consecutive business days unless the failure is caused by an act of God, by work stoppage or delays due to strikes or labor disputes or other reason beyond the dealer's or distributor's control or by an order of the department or the ~~office of the commissioner of transportation~~ division of hearings and appeals.

SECTION 109m. 218.01 (2) (bd) 1g. of the statutes, as affected by 1995 Wisconsin Acts 27 and (this act), is repealed and recreated to read:

218.01 (2) (bd) 1g. The manufacturer, distributor or importer shall send a notice of discontinuation or cancellation by certified mail, and forward a copy of the notice to the department of transportation, not less than 20 days before the effective date of discontinuation or cancellation of the agreement, if the dealer or distributor fails to conduct its customary sales and service operations during its customary business hours for 7 consecutive business days unless the failure is caused by an act of God, by work stoppage or delays due to strikes or labor disputes or other reason beyond the dealer's or distributor's control or by an order of the department of transportation or the division of hearings and appeals.

SECTION 110. 218.01 (2) (bd) 1r. of the statutes is amended to read:

218.01 (2) (bd) 1r. The notice served upon a motor vehicle dealer under subs. 1. and 1g. is not effective unless it conspicuously displays the following statement:

NOTICE TO DEALER

YOU HAVE THE RIGHT TO: 1) MEDIATE IF YOU OPPOSE THE PROPOSED TERMINATION OR NONRENEWAL OF YOUR FRANCHISE AND 2) A HEARING BY THE ~~OFFICE OF THE COMMISSIONER OF TRANSPORTATION DIVISION OF HEARINGS AND APPEALS~~ IF MEDIATION DOES NOT RESOLVE THE DISPUTE. TO PRESERVE THESE RIGHTS, YOU MUST TAKE CERTAIN STEPS ON OR BEFORE THE DATE THAT THE PROPOSED TERMINATION OR NONRENEWAL TAKES EFFECT. FOR FURTHER INFORMATION, CONSULT YOUR ATTORNEY OR CALL THE DEALER SECTION, WISCONSIN DEPARTMENT OF TRANSPORTATION, AT (insert area code and telephone number).

SECTION 111. 218.01 (2c) (c) of the statutes is amended to read:

218.01 (2c) (c) The ownership, operation or control of a dealership by a manufacturer, importer or distributor, or subsidiary thereof, which does not meet the conditions under par. (a) or (b), if the ~~office of the commissioner of transportation~~ division of hearings and appeals determines, after a hearing on the matter at the request of any party, that there is no prospective independent dealer available to own and operate the dealership in a manner

consistent with the public interest and that meets the reasonable standard and uniformly applied qualifications of the manufacturer, importer or distributor.

SECTION 112. 218.01 (3) (a) 24. of the statutes is amended to read:

218.01 (3) (a) 24. Being a manufacturer, importer or distributor who fails to comply with the procedures in sub. (3x) regarding a dealer's request for approval of a change of ownership or executive management, transfer of its dealership assets to another person, adding another franchise at the same location as its existing franchise, or relocation of a franchise or who fails to comply with an order of the ~~office of the commissioner of transportation~~ division of hearings and appeals issued under sub. (3x).

SECTION 113g. 218.01 (3x) (b) 2. of the statutes is amended to read:

218.01 (3x) (b) 2. An affected grantor who does not approve of the proposed action shall, within 30 days after receiving the dealer's written notice of the proposed action or within 30 days after receiving all the information specified in a written list served on the dealer under subd. 1., whichever is later, file with the department and serve upon the dealer a written statement of the reasons for its disapproval. The reasons given for the disapproval or any explanation of those reasons by the manufacturer, distributor or importer shall not subject the manufacturer, distributor or importer to any civil liability unless the reasons given or explanations made are malicious and published with the sole intent to cause harm to the dealer or a transferee of the dealer. Failure to file and serve a statement within the applicable period shall, notwithstanding the terms of any agreement, constitute approval of the proposed action by the grantor. If an affected grantor files a written statement within the applicable period, the dealer may not voluntarily undertake the proposed action unless it receives an order permitting it to do so from the ~~office of the commissioner of transportation~~ division of hearings and appeals under par. (c) 2.

SECTION 113m. 218.01 (3x) (b) 2. of the statutes, as affected by [1995 Wisconsin Acts 27](#) and (this act), is repealed and recreated to read:

218.01 (3x) (b) 2. An affected grantor who does not approve of the proposed action shall, within 30 days after receiving the dealer's written notice of the proposed action or within 30 days after receiving all the information specified in a written list served on the dealer under subd. 1., whichever is later, file with the department of transportation and serve upon the dealer a written statement of the reasons for its disapproval. The reasons given for the disapproval or any explanation of those reasons by the manufacturer, distributor or importer shall not subject the manufacturer, distributor or importer to any civil liability unless the reasons given or explanations made are malicious and published with the sole intent to cause harm to the dealer or a transferee of the dealer. Failure to file and serve a statement within the applicable period shall, not-

withstanding the terms of any agreement, constitute approval of the proposed action by the grantor. If an affected grantor files a written statement within the applicable period, the dealer may not voluntarily undertake the proposed action unless it receives an order permitting it to do so from the division of hearings and appeals under par. (c) 2.

SECTION 114g. 218.01 (3x) (b) 3. of the statutes is amended to read:

218.01 (3x) (b) 3. A dealer who is served with a written statement by an affected grantor under subd. 2. may file with the department and the ~~office of the commissioner of transportation~~ division of hearings and appeals and serve upon the affected grantor a complaint for the determination of whether there is good cause for permitting the proposed action to be undertaken. The ~~office of the commissioner of transportation~~ division of hearings and appeals shall promptly schedule a hearing and decide the matter. The proposed action may not be undertaken pending the determination of the matter.

SECTION 114m. 218.01 (3x) (b) 3. of the statutes, as affected by [1995 Wisconsin Acts 27](#) and (this act), is repealed and recreated to read:

218.01 (3x) (b) 3. A dealer who is served with a written statement by an affected grantor under subd. 2. may file with the department of transportation and the division of hearings and appeals and serve upon the affected grantor a complaint for the determination of whether there is good cause for permitting the proposed action to be undertaken. The division of hearings and appeals shall promptly schedule a hearing and decide the matter. The proposed action may not be undertaken pending the determination of the matter.

SECTION 115. 218.01 (3x) (c) 1. (intro.) of the statutes is amended to read:

218.01 (3x) (c) 1. (intro.) In determining if there is good cause for permitting a proposed action to be undertaken, the ~~office of the commissioner of transportation~~ division of hearings and appeals may consider any relevant factor including:

SECTION 116. 218.01 (3x) (c) 2. of the statutes is amended to read:

218.01 (3x) (c) 2. The decision of the ~~office of the commissioner of transportation~~ division of hearings and appeals shall be in writing and shall contain findings of fact and a determination of whether there is good cause for permitting the proposed action to be undertaken. The decision shall include an order that the dealer be allowed or is not allowed to undertake the proposed action, as the case may be. The order may require fulfillment of appropriate conditions before and after the proposed action is undertaken.

SECTION 117. 218.01 (7m) (a) of the statutes is amended to read:

218.01 (7m) (a) A licensee may not file a complaint or petition with the ~~office of the commissioner of trans-~~

~~portation division of hearings and appeals~~ or bring an action under sub. (9) (a), based on an alleged violation of this section by any other licensee or pursuant to sub. (3) (f) or (fm), (3c) or (3x), unless the licensee serves a demand for mediation upon the other licensee before or contemporaneous with the filing of the complaint or petition or the bringing of the action. A demand for mediation shall be in writing and served upon the other licensee by certified mail at an address designated for that licensee in the licensor's records. The demand for mediation shall contain a brief statement of the dispute and the relief sought by the licensee filing the demand.

SECTION 118. 218.01 (7m) (c) of the statutes is amended to read:

218.01 (7m) (c) The service of a demand for mediation under par. (a) shall stay the time for the filing of any complaint or petition with the ~~office of the commissioner of transportation division of hearings and appeals~~ or for bringing an action under sub. (9) (a), based on an alleged violation of this section by the other licensee or pursuant to sub. (3) (f) or (fm), (3c) or (3x), until the representatives of both licensees have met with a mutually selected mediator for the purpose of attempting to resolve the dispute. If a complaint or petition is filed before the meeting, the ~~office of the commissioner of transportation division of hearings and appeals~~ or the court shall enter an order suspending the proceeding or action until the meeting has occurred and may, upon the written stipulation of all parties to the proceeding or action that they wish to continue to mediate under this subsection, enter an order suspending the proceeding or action for as long a period as the ~~commissioner of transportation division of hearings and appeals~~ or court considers to be appropriate. A suspension order issued under this paragraph may be revoked upon motion of any party or upon motion of the ~~office of the commissioner of transportation division of hearings and appeals~~ or the court.

SECTION 119. 340.01 (7m) of the statutes is amended to read:

340.01 (7m) "Commercial driver license" means a license issued to a person by this state or another jurisdiction which is in accordance with the requirements of the federal commercial motor vehicle safety act of 1986, 49 USC 2701 to 2716 31301 to 31317, or by Canada or Mexico, and which authorizes the licensee to operate certain commercial motor vehicles.

SECTION 120. 340.01 (7r) of the statutes is amended to read:

340.01 (7r) "Commercial driver license information system" means the information system established pursuant to the federal commercial motor vehicle safety act of 1986, 49 USC 2701 to 2716 31301 to 31317, to serve as a clearinghouse for information related to the licensing and identification of commercial motor vehicle drivers.

SECTION 128. 341.21 of the statutes is created to read:

341.21 Registration and title transactions by contractors. (1m) In this section, "contractor" means a person who has contracted with the department to provide services under this section.

(2) The department may contract with any person for services relating to the processing or distribution of original or renewal registrations under this chapter or certificates of title under ch. 342. The department may not compensate a contractor for services provided under this section. A contract under this section shall contain the following provisions:

(a) The amount of fees, if any, that the contractor may charge a person for services relating to the processing or distribution of an original or renewal registration or a certificate of title.

(b) Within 7 business days after the completion of an application, the contractor shall process the application and submit any required fees and other documentation to the department.

(c) The contractor shall retain all records related to an application for original or renewal registration or a certificate of title for at least 5 years.

(d) The department or its representative may, without any prior notice, conduct random inspections and audits of the contractor.

SECTION 132. 341.43 of the statutes is amended to read:

341.43 Audits. The department may conduct such audits as it deems necessary to determine the adequacy of fees paid under the international registration plan or other proportional registration law or agreement and taxes and fees paid under s. 341.45. Audits shall be conducted during normal business hours. Credits shall be given for overpayments and deficiencies shall be assessed, with interest. Actual and necessary expenses incurred by an auditor, plus wages, may be assessed against the person audited.

SECTION 133. 341.45 (title) of the statutes is amended to read:

341.45 (title) Importation in vehicle tanks regulated; taxes; fee; permits.

SECTION 134. 341.45 (1g) (a) of the statutes is amended to read:

341.45 (1g) (a) ~~Every~~ Except as provided in subs. (3) and (4g), every person who purchases or obtains motor vehicle fuel or an alternate fuel outside of this state and operates any qualified motor vehicle into this state upon a highway and transports that fuel in an attached or unattached fuel supply tank for the sole purpose of operating the qualified motor vehicle shall pay the Wisconsin motor vehicle fuel or alternate fuels tax and the oil inspection fee under s. 168.12 on the gallons consumed by the qualified motor vehicle while operated on the highways of this state. The person shall pay the tax and fee by purchasing motor vehicle fuel or alternate fuels within this state in an

amount that is equivalent to the gallonage consumed while operating the qualified motor vehicle on the highways of this state, or by remitting the tax and fee directly to the department or to another jurisdiction that is a party to the international fuel tax agreement.

SECTION 135. 341.45 (1g) (b) of the statutes is amended to read:

341.45 (1g) (b) The department may require any person required to pay under par. (a) to report on forms prescribed by it, to display evidence of compliance with par. (a) and to pay taxes and the fee in the manner specified by the department.

(c) The department shall require any person convicted of evading the tax or fee due under par. (a) to report on forms and in the manner prescribed by the department.

SECTION 136. 341.45 (2) of the statutes is amended to read:

341.45 (2) Every person regularly or habitually operating qualified motor vehicles upon the highways of any other state and using in those qualified motor vehicles motor vehicle fuel or an alternate fuel purchased or obtained in this state shall be allowed a credit or refund equal to the oil inspection fee and the tax on the motor vehicle fuel or alternate fuel actually paid to the state in which it is used, but not to exceed the tax and fee imposed on motor vehicle fuel or alternate fuels by this state.

SECTION 137. 341.45 (3) of the statutes is amended to read:

341.45 (3) The department may enter into reciprocal agreements with the appropriate officials of any other state under which it may waive all or any part of the requirements imposed by this section upon those who use motor vehicle fuel or alternate fuels upon which the tax has and fee have been paid to another state if the officials of the other state grant equivalent privileges with respect to motor vehicle fuel or alternate fuels used in that state but upon which the tax has and fee have been paid to Wisconsin.

SECTION 138. 341.45 (4g) of the statutes is created to read:

341.45 (4g) The department may issue trip permits for 72-hour periods to persons who would otherwise be required to pay the Wisconsin motor vehicle fuel or alternate fuels tax under sub. (1g). The department shall charge a fee of not less than \$15 for each permit issued under this subsection. A person who has obtained a permit under this subsection is exempt from the purchasing requirement of sub. (1g) (a).

SECTION 139. 341.45 (4m) of the statutes is created to read:

341.45 (4m) All oil inspection fees paid to the department of transportation under sub. (1g) (a) in excess of oil inspection fee credits or refunds under sub. (2) shall be deposited in the petroleum inspection fund. All oil inspection fees credited or refunded by the department of transportation under sub. (2) in excess of oil inspection

fees paid to the department of transportation under sub. (1g) (a) shall be paid from the petroleum inspection fund.

SECTION 140. 341.45 (5) of the statutes is amended to read:

341.45 (5) The department shall promulgate rules under ch. 227 necessary to administer this section. The rules shall include provisions relating to the issuance and use of the permits authorized under sub. (4g). The rules may include provisions relating to the payment of interest on late payments of motor vehicle fuel and alternate fuels taxes and oil inspection fees, and fees for the late payment or underpayment of motor vehicle fuel and alternate fuels taxes and oil inspection fees.

SECTION 141. 343.01 (2) (cb) of the statutes is created to read:

343.01 (2) (cb) "Motorized construction equipment" means motor-driven construction equipment designed principally for off-road use, including a motorscraper, backhoe, motorgrader, compacter, excavator, tractor, trencher and bulldozer.

SECTION 142. 343.01 (2) (d) of the statutes is created to read:

343.01 (2) (d) "Photograph" means an unretouched image recorded by a camera and reproduced on a photosensitive surface, or a digitized image.

SECTION 143. 343.02 (1) of the statutes is amended to read:

343.02 (1) The department shall administer and enforce this chapter and may promulgate for that purpose such rules as the secretary considers necessary. Rules promulgated under this chapter may not conflict with and shall be at least as stringent as standards set by the federal commercial motor vehicle safety act, 49 USC 2701 to 2716 ~~31301 to 31317~~ and the regulations adopted under that act.

SECTION 143m. 343.027 of the statutes is created to read:

343.027 Confidentiality of signatures. Any signature collected under this chapter may be maintained by the department and shall be kept confidential. The department may release a signature or a facsimile of a signature only to the person to whom the signature relates.

SECTION 144. 343.03 (1) (title) of the statutes is repealed and recreated to read:

343.03 (1) (title) COMPLIANCE WITH FEDERAL STANDARDS.

SECTION 145. 343.03 (1) (a) of the statutes is amended to read:

343.03 (1) (a) The department shall institute a classified driver license system meeting all federal standards under 49 USC 2701 to 2716 ~~31301 to 31317~~ and 49 CFR 383.

SECTION 146. 343.03 (1) (b) of the statutes is amended to read:

343.03 (1) (b) The department shall ~~begin issuance of issue~~ operator's licenses in conformity with the classi-

fied driver license system to each licensee upon renewal, reinstatement or initial application by April 1, 1991.

SECTION 147. 343.03 (1) (c) of the statutes is repealed.

SECTION 148. 343.03 (5) of the statutes is amended to read:

343.03 (5) INQUIRIES BEFORE ISSUANCE. Before issuing a license under this chapter, the department shall obtain driver record information from the national driver registry and commercial driver license information system to determine whether the applicant holds a commercial driver license, or a license that is revoked, suspended or canceled, or is otherwise disqualified. If the applicant is currently licensed in another state, the department shall obtain information on the applicant's license status with the state of licensure before issuing a license.

SECTION 149. 343.03 (8) of the statutes is repealed.

SECTION 150. 343.05 (2) (a) 2. of the statutes is amended to read:

343.05 (2) (a) 2. A nonresident who has in his or her immediate possession a valid commercial driver license issued to the person in his or her home ~~another~~ jurisdiction ~~or Mexico~~ bearing all endorsements required for the specific class and type of vehicle being operated. A license is not valid under this subdivision if the license is restricted to operation inside the person's home jurisdiction, or if the person is otherwise violating restrictions or exceeding operating authorization stated on the person's license. If the nonresident is operating a commercial motor vehicle in interstate commerce, he or she must be at least 21 years of age.

SECTION 151. 343.05 (2) (c) of the statutes is amended to read:

343.05 (2) (c) A tow truck operator holding a valid commercial driver license who is engaged in the removal of a disabled or wrecked vehicle from the highway or eliminating a hazard is not required to hold an endorsement to his or her commercial driver license regardless of the type of vehicle being towed. This exception to the requirement for an endorsement does not apply to any subsequent towing of the vehicle, including moving the vehicle from one repair facility to another, unless ~~the~~ the one of the following applies:

1. ~~The tow truck operator holds a commercial driver license and is accompanied by a driver who holds the required endorsements.~~

SECTION 152. 343.05 (2) (c) 2. of the statutes is created to read:

343.05 (2) (c) 2. The vehicle is a vehicle that requires a "P" endorsement for its operation.

SECTION 153. 343.05 (4) (a) 3. of the statutes is renumbered 343.05 (2) (a) 5. and amended to read:

343.05 (2) (a) 5. A person temporarily operating motorized construction equipment ~~designed principally for off-road use, including a motor scraper, backhoe, motor grader, compacter, excavator, tractor, trencher and bull-~~

~~dozer upon a highway in this state who possesses a valid operator's license issued to the person by the department which is not revoked, suspended, canceled, disqualified or expired.~~ This subdivision does not apply to a truck or a construction vehicle designed or equipped for use on a highway or to any vehicle exceeding a speed of 35 miles per hour.

SECTION 154. 343.055 (5) of the statutes is amended to read:

343.055 (5) RULES. As soon as possible after the federal commercial motor vehicle safety act, 49 USC 2701 ~~to 2716~~ 31301 to 31317, or the regulations adopted under that act permit any commercial driver license waiver, the department shall promulgate rules governing eligibility for the waiver. This subsection applies to waivers not permitted by federal law on May 12, 1992.

SECTION 155. 343.06 (1) (c) of the statutes is amended to read:

343.06 (1) (c) To any person under age 18 unless the person is enrolled in a school program or high school equivalency program and is not a habitual truant as defined in s. 118.16 (1) (a), has graduated from high school or been granted a declaration of high school graduation equivalency or is enrolled in a home-based private educational program, as defined in s. 115.001 (3g), and has satisfactorily completed a course in driver education in public schools approved by the department of public instruction, or in technical colleges approved by the technical college system board, or in nonpublic and private schools which meet the minimum standards set by the department of public instruction, or has satisfactorily completed a substantially equivalent course in driver training approved by the department and given by a school licensed by the department under s. 343.61, or has satisfactorily completed a substantially equivalent course in driver education or training approved by another state and has attained the age of 16, except as provided in s. 343.07 (1). The department shall not issue a license to any person under the age of 18 authorizing the operation of "Class M" vehicles unless the person has successfully completed a basic rider course approved by the department. The department may, by rule, exempt certain persons from the basic rider course requirement of this paragraph. Applicants for a license under s. 343.08 or 343.135 are exempt from the driver education, basic rider or driver training course requirement. The secretary shall prescribe rules for licensing of schools and instructors to qualify under this paragraph. The driver education course shall be made available to every eligible student in the state. Except as provided under s. 343.16 (1) (c) ~~and (2) (cm) to (e)~~, no operator's license may be issued unless a driver's examination has been administered by the department.

SECTION 156. 343.06 (2) of the statutes is amended to read:

343.06 (2) After March 31, 1992, the The department shall not issue a commercial driver license, including a renewal, occupational or reinstated license, to any person during any period of disqualification under s. 343.315 or 49 CFR 383.51 or the law of another jurisdiction in substantial conformity therewith, as the result of one or more disqualifying offenses committed on or after July 1, 1987. ~~Beginning on April 1, 1992, the department shall cancel any commercial driver license~~ Any person who is known to the department to have been issued to a person who is disqualified be subject to disqualification under s. 343.315 (1) (a) shall be disqualified by the department, unless the required period of disqualification specified in s. 343.315 for the disqualifying offense has already expired.

SECTION 157. 343.065 (title) of the statutes is amended to read:

343.065 (title) ~~Intrastate restricted~~ **Restricted commercial driver license.**

SECTION 158. 343.065 (1) of the statutes is amended to read:

343.065 (1) If an applicant for a commercial driver license is less than 21 years of age or does not meet the physical qualifications for drivers contained in 49 CFR 391 or an alternative federally approved driver qualification program established by the department by rule but is at least 18 years of age and otherwise qualified under this chapter and the rules of the department, the department may issue the applicant a commercial driver license restricted to authorizing the operation of commercial motor vehicles ~~only within this state and~~ not in interstate commerce.

SECTION 159. 343.065 (2) of the statutes is amended to read:

343.065 (2) A commercial driver license issued under this section shall clearly identify that the license does not authorize the operation of commercial motor vehicles ~~outside this state or in interstate commerce.~~

SECTION 160. 343.10 (2) (a) 1. of the statutes is amended to read:

343.10 (2) (a) 1. Except for a revocation or suspension that arose out of the same incident or occurrence for which the person's license or operating privilege is currently revoked or suspended, the person's license or operating privilege was not revoked or suspended previously under this chapter or ch. 344 or s. 161.50 within the one-year period immediately preceding the present revocation or suspension.

SECTION 161. 343.10 (10) (a) of the statutes is amended to read:

343.10 (10) (a) If the petitioner's commercial driver license has been suspended or revoked ~~solely~~ for a violation of s. 346.63 (1) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) and the person was not operating a commer-

cial motor vehicle at the time of the violation, a petition seeking issuance of an occupational license authorizing operation of "Class A", "Class B" or "Class C" vehicles may be filed directly with the department. The petition may also seek authorization to operate "Class D" or "Class M" vehicles.

SECTION 162. 343.12 (2) (h) of the statutes is amended to read:

343.12 (2) (h) Prior to the initial issuance or renewal of the endorsement, takes and passes a special examination prescribed by the department and administered by the department or by a 3rd-party tester under s. 343.16 (1) (b) to determine his or her ability to safely operate a school bus. This special examination may include the examination required under sub. (3). The department may renew the endorsement without retesting the licensee, except under sub. (3).

SECTION 163. 343.14 (3) of the statutes is renumbered 343.14 (3) (a).

SECTION 164. 343.14 (3) (b) of the statutes is created to read:

343.14 (3) (b) Any photograph taken of an applicant under par. (a) or s. 343.50 (4) may be maintained by the department and shall be kept confidential. The department may release a photograph only to the person whose photograph was taken.

SECTION 166. 343.16 (1) (a) of the statutes is amended to read:

343.16 (1) (a) *General.* The department shall examine every applicant for an operator's license, including applicants for license renewal as provided in sub. (3), and every applicant for authorization to operate a vehicle class or type for which the applicant does not hold currently valid authorization, other than an instruction permit. Except as provided in sub. (2) (cm) and (e) ~~and s. 343.03 (8) (b) and (e)~~, the examinations of applicants for licenses authorizing operation of "Class A", "Class B", "Class C", "Class D" or "Class M" vehicles shall include both a knowledge test and an actual demonstration in the form of a driving skills test of the applicant's ability to exercise ordinary and reasonable control in the operation of a representative vehicle. The department shall not administer a driving skills test to a person applying for authorization to operate "Class M" vehicles who has failed 2 previous such skills tests unless the person has successfully completed a rider course approved by the department. The department may, by rule, exempt certain persons from the rider course requirement of this paragraph. The driving skills of applicants for endorsements authorizing the operation of commercial motor vehicles equipped with air brakes, the transportation of passengers in commercial motor vehicles or the operation of school buses, as provided in s. 343.04 (2) (b), (d) or (e), shall also be tested by an actual demonstration of driving skills. The department may endorse an applicant's commercial driver license for transporting hazardous materi-

als, or the operation of tank vehicles or vehicles towing double or triple trailers, as described in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In administering the knowledge test, the department shall attempt to accommodate any special needs of the applicant. The Except as may be required by the department for an “H” or “S” endorsement, the knowledge test is not intended to be a test for literacy or English language proficiency. This paragraph does not prohibit the department from requiring an applicant to correctly read and understand highway signs.

SECTION 167. 343.17 (3) (e) 1. of the statutes is amended to read:

343.17 (3) (e) 1. “K” restriction, which restricts a person issued a license under s. 343.065 ~~to from~~ operating commercial motor vehicles ~~only within this state and not~~ in interstate commerce.

SECTION 168. 343.21 (1) (g) of the statutes is amended to read:

343.21 (1) (g) For removing a “K” restriction against operation of commercial motor vehicles ~~outside this state or~~ in interstate commerce, the same fee as for a duplicate license.

SECTION 169. 343.21 (1) (jm) of the statutes is created to read:

343.21 (1) (jm) For reinstatement of a previously disqualified authorization to operate a commercial motor vehicle, \$50. This fee is not applicable to disqualifications under s. 343.315 (2) (g).

SECTION 170. 343.21 (1) (m) of the statutes is created to read:

343.21 (1) (m) For reinstatement of a previously canceled license or endorsement, \$50. This fee includes reinstatement of any classification or endorsement applied for at the same time for which the applicant is qualified.

SECTION 171. 343.23 (2) of the statutes is amended to read:

343.23 (2) The department shall maintain a file for each licensee containing the application for license, permit or endorsement, a record of reports or abstract of convictions, the status of the licensee’s authorization to operate different vehicle groups, a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9) (am) and a record of any reportable accident in which the licensee has been involved, including specification of the type of license and endorsements issued under this chapter under which the licensee was operating at the time of the accident and an indication whether or not the accident occurred in the course of the licensee’s employment as a law enforcement officer, fire fighter or emergency medical technician — paramedic or as a person engaged, by an authority in charge of the maintenance of the highway, in highway winter maintenance snow and ice removal during either a storm or cleanup following a storm. This information must be filed by the department so that the complete operator’s record is available for the

use of the secretary in determining whether operating privileges of such person shall be suspended, revoked, canceled or withheld in the interest of public safety. The record of suspensions, revocations and convictions that would be counted under s. 343.307 (2) and of convictions for disqualifying offenses under s. 343.315 (2) (h) shall be maintained for at least 10 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (f) shall be maintained for at least 3 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be maintained permanently, except that 5 years after a licensee transfers residency to another state such record may be transferred to another state of licensure of the licensee if that state accepts responsibility for maintaining a permanent record of convictions for disqualifying offenses. Such reports and records may be cumulative beyond the period for which a license is granted, but the secretary, in exercising the power of revocation granted under s. 343.32 (2) may consider only those reports and records entered during the 4-year period immediately preceding the exercise of such power of revocation. For purposes of this subsection, “highway winter maintenance snow and ice removal” includes plowing, sanding, salting and the operation of vehicles in the delivery of those services.

SECTION 172b. 343.24 (2m) of the statutes is amended to read:

343.24 (2m) If the department, in maintaining a computerized operating record system, makes copies of its operating record file data base, or a portion thereof, on computer tape or other electronic media, copies of the tape or media may be furnished to any person on request. The department may also furnish to any person upon request records on computer tape or other electronic media that contain information from files of uniform traffic citations or motor vehicle accidents and which were produced for or developed by the department for purposes related to maintenance of the operating record file data base. The department shall charge a fee of \$3 for each file of vehicle operators’ records contained in the tape or media. The department shall charge a fee of not more than \$3 for each file of uniform traffic citations or motor vehicle accidents contained in the tape or media. Nothing in this subsection requires the department to produce records of particular files or data in a particular format except as those records or data are made by the department for its purposes.

SECTION 173. 343.245 (3) (b) 3. and 4. of the statutes are amended to read:

343.245 (3) (b) 3. Is subject to an out-of-service order in any state; ~~or~~

4. Has more than one operator’s license, except during the 10-day period beginning on the date on which the employe is issued an operator’s license; ~~or~~

SECTION 174. 343.245 (3) (b) 5. of the statutes is created to read:

343.245 (3) (b) 5. Does not possess a valid commercial driver license properly endorsed to permit operation of the vehicle.

SECTION 175. 343.245 (4) (b) of the statutes is amended to read:

343.245 (4) (b) Any person who violates sub. (3) (b) shall be fined not ~~more than \$5,000~~ less than \$2,500 nor more than \$10,000 or imprisoned for not more than 90 days or both.

SECTION 176. 343.265 (1) (intro.) of the statutes is re-numbered 343.265 (1) and amended to read:

343.265 (1) The department may accept the voluntary surrender of the operator's license of a person who has a mental or physical disability or disease or a medical condition which prevents or may prevent the person from exercising reasonable control over a motor vehicle if the person's operating privilege is not subject to suspension or revocation for any reason ~~and if either of the following conditions are satisfied:~~

SECTION 177. 343.265 (1) (a) and (b) of the statutes are repealed.

SECTION 178. 343.28 (1) of the statutes is amended to read:

343.28 (1) Whenever a person is convicted of a moving traffic violation under chs. 341 to 349 or under a local ordinance enacted under ch. 349, the clerk of the court in which the conviction occurred, or the justice, judge or magistrate of a court not having a clerk, shall, as provided in s. 345.48, forward to the department the record of such conviction. The record of conviction forwarded to the department shall state whether the offender was involved in an accident at the time of the offense, whether the offender was operating a commercial motor vehicle at the time of the offense and, if so, whether the offender was transporting hazardous materials or operating a vehicle designed to carry, or actually carrying, 16 or more passengers, including the driver. Whenever a person is convicted of exceeding a posted speed limit, the record of conviction forwarded to the department shall include the number of miles per hour in excess of the posted speed limit.

SECTION 179. 343.28 (2) of the statutes is amended to read:

343.28 (2) Whenever a person is convicted of any offense for which s. 343.31 makes mandatory the revocation by the secretary of such person's operating privilege, the court in which the conviction occurred shall require the surrender to it of any license then held by such person. The clerk of the court, or the justice, judge or magistrate if the court has no clerk, shall, as provided in s. 345.48, forward to the department the record of conviction and any surrendered licenses. The record of conviction forwarded to the department shall state whether the offender was involved in an accident at the time of the offense, whether the offender was operating a commercial motor vehicle at the time of the offense and, if so, whether the

offender was transporting hazardous materials or operating a vehicle designed to carry, or actually carrying, 16 or more passengers, including the driver.

SECTION 180. 343.305 (10) (em) of the statutes is amended to read:

343.305 (10) (em) One penalty for improperly refusing to submit to a test for intoxication regarding a person arrested for a violation of s. 346.63 (2m) or (7) or a local ordinance in conformity therewith is revocation of the person's operating privilege for 6 months. After the first 15 days of the revocation period, the person is eligible for an occupational license under s. 343.10. Any such improper refusal or revocation for the refusal does not count as a prior refusal or a prior revocation under this section or ss. 343.30 (1q), 343.307 and 346.65 (2). The person shall not be required to submit to and comply with any assessment or driver safety plan under pars. (c) and (d).

SECTION 181. 343.315 (2) (f) (intro.) of the statutes is amended to read:

343.315 (2) (f) (intro.) A person is disqualified for a period of 60 days from operating a commercial motor vehicle if convicted of 2 serious traffic violations, ~~or and~~ 120 days if convicted of 3 serious traffic violations, arising from separate occurrences committed within a 3-year period while driving or operating a commercial motor vehicle. ~~The department shall consider only of-fenses committed on or after November 2, 1989 in applying 120-day period of disqualification under this paragraph shall be in addition to any other period of disqualification imposed under this paragraph.~~ In this paragraph, "serious traffic violations" means:

SECTION 182. 343.315 (2) (fm) of the statutes is created to read:

343.315 (2) (fm) A person is disqualified for a period of 60 days from operating a commercial motor vehicle if convicted of violating s. 343.14 (5) or 345.17, if the violation relates to an application for a commercial driver license.

SECTION 183. 343.315 (2) (h) of the statutes is created to read:

343.315 (2) (h) Except as provided in par. (i), a person is disqualified for a period of 90 days from operating a commercial motor vehicle if convicted of an out-of-service violation, or one year if convicted of 2 out-of-service violations, or 3 years if convicted of 3 or more out-of-service violations, arising from separate occurrences committed within a 10-year period while driving or operating a commercial motor vehicle. A disqualification under this paragraph shall be in addition to any penalty imposed under s. 343.44. In this paragraph, "out-of-service violation" means violating s. 343.44 (1) by operating a commercial motor vehicle while ordered out-of-service under state or federal law.

SECTION 184. 343.315 (2) (i) of the statutes is created to read:

343.315 (2) (i) If the violation listed in par. (h) occurred in the course of transporting hazardous materials or while operating a vehicle designed to carry, or actually carrying, 16 or more passengers, including the driver, the person shall be disqualified from operating a commercial motor vehicle for 180 days upon a first conviction, or for a 3-year period for a 2nd or subsequent conviction, arising from separate occurrences committed within a 10-year period while driving or operating a commercial motor vehicle. A disqualification under this paragraph shall be in addition to any penalty imposed under s. 343.44.

SECTION 185. 343.315 (3) (a) of the statutes is amended to read:

343.315 (3) (a) Notwithstanding s. 343.39, if a person's license or operating privilege is revoked or suspended as the result of an offense committed after March 31, 1992, which results in disqualification under sub. (2), the department shall immediately disqualify the person from operating a commercial motor vehicle for the period required under sub. (2). The person's authorization to operate a commercial motor vehicle shall not be reinstated upon expiration of the period of revocation or suspension unless the period of disqualification has also expired. During any period of disqualification in which the person's license or operating privilege is not revoked or suspended, the department may issue an operator's license to the person for the operation of vehicles other than commercial motor vehicles. Upon expiration of the period of disqualification, the person may apply for authorization to operate commercial motor vehicles as provided in s. 343.14.

SECTION 186. 343.315 (3) (b) of the statutes is amended to read:

343.315 (3) (b) If a person's license or operating privilege is not otherwise revoked or suspended as the result of an offense committed after March 31, 1992, which results in disqualification under sub. (2) (a) to (f), (h) or (i), the department shall immediately ~~cancel the person's license~~ disqualify the person from operating a commercial motor vehicle for the period required under sub. (2) (a) to (f), (h) or (i). Upon proper application by the person and payment of a duplicate license fee, the department may issue a separate license authorizing only the operation of vehicles other than commercial motor vehicles. Upon expiration of the period of disqualification, the person may apply for authorization to operate commercial motor vehicles under s. 343.26.

SECTION 187. 343.32 (4) of the statutes is amended to read:

343.32 (4) In adopting rules for weighing traffic convictions by their seriousness under sub. (2), the secretary shall provide by rule for a reduction of up to 3 points if a person shows to the department satisfactory evidence of completion of a rider course approved by the secretary. This subsection applies only to demerit points relating to

violations committed before completion of the rider course by a person while driving or operating a Type 1 motorcycle. ~~No person is eligible for more than one point reduction of up to 3 points under this subsection.~~

SECTION 188. 343.325 (title) of the statutes is amended to read:

343.325 (title) Courts to report appeals; when appeal stays suspension or revocation or disqualification.

SECTION 189. 343.325 (2) of the statutes is amended to read:

343.325 (2) Notwithstanding ss. 343.31, ~~343.315~~ and 343.32 and except as otherwise provided in sub. (4), the secretary shall not suspend or revoke a person's operating privilege or disqualify a person from operating a commercial motor vehicle on the basis of a conviction if the secretary receives from the court in which the conviction occurred a certificate stating that an appeal from the conviction has been taken. If the secretary receives such certificate after suspension or revocation of the operating privilege, the operating privilege shall be reinstated without requiring compliance with s. 343.38. If the secretary receives the certificate after suspension of the operating privilege or disqualification, the operating privilege or authorization to operate a commercial motor vehicle shall be reinstated automatically.

SECTION 190. 343.325 (3) of the statutes is amended to read:

343.325 (3) Whenever suspension or revocation of an operating privilege or a disqualification has been withheld as provided in sub. (2) and the department receives notice that the conviction in question has been affirmed on appeal or that the appeal has been dropped, the secretary shall suspend or revoke such operating privilege or disqualify the person from operating a commercial motor vehicle on the same basis as if the appeal had not been taken, but the period of suspension ~~or~~ revocation or disqualification shall run from the date of suspension ~~or~~ revocation or disqualification following the affirmance of the conviction or dropping of the appeal, less any time the operating privilege had been suspended or revoked or the authorization to operate a commercial motor vehicle had been disqualified prior to the receipt by the secretary of the certificate under sub. (2).

SECTION 191. 343.325 (3m) of the statutes is amended to read:

343.325 (3m) Whenever the suspension or revocation of an operating privilege or a disqualification has been rescinded or withheld because of administrative action, an appeal, or a court order to reopen, stay or vacate a conviction, suspension ~~or~~ revocation or disqualification, and that suspension ~~or~~ revocation or disqualification is subsequently reimposed, the period of suspension ~~or~~ revocation or disqualification so reimposed shall be reduced by the period of suspension ~~or~~ revocation or disqualification previously served.

SECTION 192. 343.325 (4) of the statutes is amended to read:

343.325 (4) If a person whose suspension ~~or~~ revocation or disqualification was stayed pursuant to sub. (2) is convicted of an offense for which revocation or disqualification is mandatory under s. 343.31 or 343.315, during the pendency of the appeal of the original conviction, the secretary shall forthwith revoke such person's operating privilege or disqualify the person from operating a commercial motor vehicle on account of the latter conviction, notwithstanding the appeal of either or both convictions.

SECTION 193. 343.325 (5) of the statutes is amended to read:

343.325 (5) This section shall not prevent suspension or revocation of an operating privilege or a disqualification if there are grounds for suspension ~~or~~ revocation or disqualification other than the conviction in question.

SECTION 194. 343.325 (6) (a) of the statutes is amended to read:

343.325 (6) (a) If a court enters an order reopening, vacating or staying a conviction or a suspension or revocation of an operating privilege or a disqualification, the court shall promptly forward a copy of that order to the department.

SECTION 195. 343.44 (title) of the statutes is amended to read:

343.44 (title) ~~Driving while disqualified, out of service or ordered out-of-service or after license revoked or suspended.~~

SECTION 196. 343.44 (1) of the statutes is amended to read:

343.44 (1) No person whose operating privilege has been duly revoked or suspended pursuant to the laws of this state shall operate a motor vehicle upon any highway in this state during such suspension or revocation or thereafter before filing proof of financial responsibility or before that person has obtained a new license in this state, including an occupational license, or the person's operating privilege has been reinstated under the laws of this state. No person may operate a commercial motor vehicle while ordered out-of-service ~~as provided in s. 343.305 (7) (b) or (9) (am)~~ under state or federal law. No person may operate a commercial motor vehicle after ~~March 31, 1992~~, while disqualified as provided in s. 343.315.

SECTION 197. 343.44 (3) of the statutes is amended to read:

343.44 (3) Refusal to accept or failure to receive an order of revocation ~~or~~ suspension or disqualification mailed by 1st class mail to such person's last-known address shall not be a defense to the charge of driving after revocation ~~or~~ suspension or disqualification. If the person has changed his or her address and fails to notify the department as required in s. 343.22 then failure to receive notice of revocation ~~or~~ suspension or disqualification

shall not be a defense to the charge of driving after revocation ~~or~~ suspension or disqualification.

SECTION 198. 343.44 (4r) of the statutes is created to read:

343.44 (4r) In addition to other penalties for violation of this section, if a person has violated this section after he or she was ordered out-of-service under state or federal law, the violation shall result in disqualification under s. 343.315 (2) (h) or (i).

SECTION 199. 344.12 of the statutes is amended to read:

344.12 Applicability of provisions relating to deposit of security for past accidents. Subject to the exceptions contained in s. 344.14, the provisions of this chapter requiring deposit of security and requiring revocation for failure to deposit security apply to the operator and owner of every motor vehicle which is in any manner involved in an accident in this state which has resulted in bodily injury to or death of any person or damage to property of any other person in excess of \$500 \$1,000.

SECTION 200. 344.14 (2) (e) of the statutes is amended to read:

344.14 (2) (e) To the operator or owner of a vehicle involved in an accident wherein no injury was caused to the person of anyone other than such operator or owner and wherein damage to property of any one person other than such operator or owner did not exceed \$500 \$1,000.

SECTION 201. 346.70 (1) of the statutes is amended to read:

346.70 (1) IMMEDIATE NOTICE OF ACCIDENT. The operator of a vehicle involved in an accident resulting in injury to or death of any person, any damage to state or other government-owned property, except a state or other government-owned vehicle, to an apparent extent of \$200 or more or total damage to property owned by any one person or to a state or other government-owned vehicle to an apparent extent of \$500 \$1,000 or more shall immediately by the quickest means of communication give notice of such accident to the police department, the sheriff's department or the traffic department of the county or municipality in which the accident occurred or to a state traffic patrol officer. In this subsection, "injury" means injury to a person of a physical nature resulting in death or the need of first aid or attention by a physician or surgeon, whether or not first aid or medical or surgical treatment was actually received; "total damage to property owned by one person" means the sum total cost of putting the property damaged in the condition it was before the accident, if repair thereof is practical, and if not practical, the sum total cost of replacing such property. For purposes of this subsection if any property which is damaged is held in a form of joint or multiple ownership, the property shall be considered to be owned by one person.

SECTION 202. 348.15 (3) (bg), (br), (bv) and (e) of the statutes are amended to read:

348.15 (3) (bg) In the case of a vehicle or combination of vehicles transporting exclusively milk from the point of production to the primary market and the return of dairy supplies and dairy products from such primary market to the farm, the gross weight imposed on the highway by the wheels of any one axle may not exceed 21,000 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles more than 9 feet apart, a weight of 2,000 pounds more than is shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply to the national system of interstate and defense highways, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39.

(br) In the case of a vehicle or combination of vehicles transporting exclusively peeled or unpeeled forest products cut crosswise or in the case of a vehicle or combination of vehicles transporting exclusively scrap metal, the gross weight imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply to the national system of interstate and defense highways, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39.

(bv) In the case of a vehicle or combination of vehicles used primarily for the transportation of septage, as defined in s. 144.08 (1) (a), the gross weight imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c) or, for groups of 4 or more consecutive axles more than 10 feet apart, a weight of 6,000 pounds more than is shown in par. (c) or, for groups of 5 or more consecutive axles more than 14 feet apart, a weight of 7,000 pounds more than is shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply to the national system of interstate and defense highways, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39.

(e) Notwithstanding pars. (a), (b) and (c), in the case of a vehicle or combination of vehicles transporting exclusively livestock, the gross weight imposed on the highway by the wheels of any one axle or axle group may exceed the applicable weight limitation specified in pars. (a), (b) and (c) by 15% if the gross weight of the vehicle

or combination of vehicles does not exceed the maximum gross weight specified for that vehicle or combination of vehicles under par. (c). This paragraph does not apply to the national system of interstate and defense highways, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39.

SECTION 203. 348.175 of the statutes is amended to read:

348.175 Seasonal operation of vehicles hauling peeled or unpeeled forest products cut crosswise or abrasives or salt for highway winter maintenance.

The transportation of peeled or unpeeled forest products cut crosswise or of abrasives or salt for highway winter maintenance in excess of gross weight limitations under s. 348.15 shall be permitted during the winter months when the highways are so frozen that no damage may result thereto by reason of such transportation. If at any time any person is so transporting such products or abrasives or salt upon a class "A" highway in such frozen condition then that person may likewise use a class "B" highway without other limitation, except that chains and other traction devices are prohibited on class "A" highways but such chains and devices may be used in cases of necessity. The officers or agencies in charge of maintenance of highways, upon determination of such frozen condition and freedom of damage to such highways by transportation shall declare particular highways, or highways within areas of the state as eligible for increased weight limitations. Such declaration shall include the maximum weight on each axle, combination of axles and the gross weight allowed. Any person transporting any such product over any highway of this state under this section is liable to the maintaining authority for any damage caused to such highway. This section does not apply to the national system of interstate and defense highways, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39.

SECTION 204. 348.19 (2) (b) and (4) of the statutes are amended to read:

348.19 (2) (b) If upon weighing a vehicle transporting livestock a traffic officer determines that the gross weight of the vehicle exceeds the limitations imposed by s. 348.15 or 348.16 or a limitation posted as provided in s. 348.17 (1), and if the point of apprehension is 15 miles or less from the destination of the vehicle, the traffic officer shall permit the operator of the vehicle to proceed to such destination without requiring the vehicle to be reloaded or unloaded as provided in par. (a). This paragraph does not apply to vehicles transporting livestock on the national system of interstate and defense highways, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and

the I 90/94 interchange near Portage upon their federal designation as I 39.

(4) Subsection (1) (b) shall not apply to vehicles transporting peeled or unpeeled forest products on the national, interstate or defense highway systems, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39.

SECTION 205. 348.27 (4), (9m) and (9r) of the statutes are amended to read:

348.27 (4) **INDUSTRIAL INTERPLANT PERMITS.** The department may issue, to industries and to their agent motor carriers owning and operating oversize vehicles in connection with interplant, and from plant to state line, operations in this state, annual or consecutive month permits for the operation of such vehicles over designated routes, provided that such permit shall not be issued under this section to agent motor carriers or, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39, from plant to state line for vehicles or loads of width exceeding 102 inches upon routes of the national system of interstate and defense highways. If the routes desired to be used by the applicant involve city or village streets or county or town highways, the application shall be accompanied by a written statement of route approval by the officer in charge of maintenance of the highway in question.

(9m) **TRANSPORTATION OF RAW FOREST AND AGRICULTURAL PRODUCTS.** The department may issue annual or consecutive month permits for the transportation of raw forest products or for the transportation of fruits or vegetables from field to storage or processing facilities in vehicles or vehicle combinations that exceed the maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000 pounds. A permit issued under this subsection does not authorize the operation of any vehicle or vehicle combination at a maximum gross weight in excess of 90,000 pounds. This subsection does not apply to highways designated as part of the national system of interstate and defense highways, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39.

(9r) **TRANSPORTATION OF SCRAP.** The department may issue an annual or consecutive month permit for the transportation of metallic or nonmetallic scrap for the purpose of recycling or processing on a vehicle or combination of vehicles which exceeds statutory weight or length limitations and for the return of the vehicle or combination of vehicles when empty. This subsection does not apply to the transportation of scrap on highways designated as part of the national system of interstate and de-

fense highways, except for that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39.

SECTION 205m. 349.02 (3) of the statutes is created to read:

349.02 (3) (a) In this subsection, "photo radar speed detection" means the detection of a vehicle's speed by use of a radar device combined with photographic identification of the vehicle.

(b) Notwithstanding sub. (1), the state and local authorities may not use photo radar speed detection to determine compliance with any speed restriction imposed by s. 346.57, 346.58, 346.59, 346.595 or 349.11 or a local ordinance in conformity therewith.

SECTION 206. 967.055 (2) (a) of the statutes is amended to read:

967.055 (2) (a) Notwithstanding s. 971.29, if the prosecutor seeks to dismiss or amend a charge under s. 346.63 (1) or (5) or a local ordinance in conformity therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle or an improper refusal under s. 343.305, the prosecutor shall apply to the court. The application shall state the reasons for the proposed amendment or dismissal. The court may approve the application only if the court finds that the proposed amendment or dismissal is consistent with the public's interest in deterring the operation of motor vehicles by persons who are under the influence of an intoxicant, a controlled substance or both, under the influence of any other drug to a degree which renders him or her incapable of safely driving, or under the combined influence of an intoxicant and any other drug to a degree which renders him or her incapable of safely driving, or in deterring the operation of commercial motor vehicles by persons with an alcohol concentration of 0.04 or more. The court may not approve an application to amend the vehicle classification from a commercial motor vehicle to a noncommercial motor vehicle unless there is evidence in the record that the motor vehicle being operated by the defendant at the time of his or her arrest was not a commercial motor vehicle.

SECTION 9137. Nonstatutory provisions; legislature.

(1gx) **STUDIES OF THE DEPARTMENT OF TRANSPORTATION.** The joint legislative audit committee is requested to direct the legislative audit bureau to perform a performance evaluation audit of the department of transportation. If the committee directs the legislative audit bureau to perform an audit, the committee shall determine the scope of the audit and the bureau shall file its report as described under section 13.94 (1) (b) of the statutes by September 1, 1996.

SECTION 9146. Nonstatutory provisions; public service commission.

(1) FENCING, FARM CROSSING AND CATTLE GUARD COSTS. The commissioner of railroads shall develop a **Vetoed In Part** plan for phasing in state reimbursement of 100% of the costs incurred by railroads for fencing, farm crossings and cattleguards, and shall submit a report containing findings, conclusions and recommendations, including recommended statutory changes, to the joint committee on finance by the first day of the 6th month beginning after the effective date of this subsection.

SECTION 9155. Nonstatutory provisions; transportation.

(1) COST-EFFICIENCY STANDARDS.

(a) In promulgating rules under section 85.20 (7) (b) of the statutes, as created by this act, the department of transportation shall establish a transit committee to assist the department in developing the cost-efficiency standards for the purposes of section 85.20 (7) (a) of the statutes, as created by this act. The transit committee shall advise the department on implementation of the cost-efficiency standards.

(b) This subsection does not apply after June 30, 1997.

(2u) APPROPRIATION ADJUSTMENTS.

(a) The department of transportation shall submit to the joint committee on finance for review and approval 2 plans identifying how the department proposes to adjust its appropriations for an applicable fiscal year to reflect the actual levels of federal aid for this state for that fiscal year under the federal intermodal surface transportation efficiency act of 1991, as amended, or a substantially similar subsequent federal legislative act establishing levels of federal aid for this state. The plans shall be submitted as follows:

1. For appropriation adjustments for the 1995–96 fiscal year, not later than December 1, 1995, or 30 days after the applicable federal legislation for that fiscal year has been enacted, whichever is later.

2. For appropriation adjustments for the 1996–97 fiscal year, not later than December 1, 1996, or 30 days after the applicable federal legislation for that fiscal year has been enacted, whichever is later.

(c) The appropriation adjustments in a plan submitted under paragraph (a) may not be implemented as proposed without the approval of the joint committee on finance.

(3) EFFICIENCY MEASURES. By January 1, 1996, the department of transportation shall submit recommendations to the joint committee on finance if the department wishes to reallocate reductions resulting from budgetary efficiency measures and position vacancy reductions among the segregated fund revenue appropriations of the department of transportation for state operations. If the department submits recommendations under this subsection, the recommendations shall be implemented if the committee approves the recommendations, or does not

schedule a meeting for the purpose of reviewing the recommendations within 14 working days after their receipt.

(3g) FISCAL YEAR SEGREGATED REVENUES CERTIFICATION.

(a) The department of transportation shall, by January 1, 1996, certify to the joint committee on finance the total amount of estimated segregated transportation fund revenues for fiscal year 1995–96 and for fiscal year 1996–97.

(b) 1. If the amount certified by the department under paragraph (a) for fiscal year 1995–96 exceeds \$974,283,800, the difference between that certified amount and \$974,283,800 shall be credited to the appropriation account under section 20.395 (3) (cq) of the statutes, as affected by this act, for fiscal year 1995–96 if the committee approves such action, or does not schedule a meeting for the purpose of reviewing the proposed action within 14 working days after such certification.

2. If the amount certified by the department under paragraph (a) for fiscal year 1996–97 exceeds \$981,099,800, the difference between that certified amount and \$981,099,800 shall be credited to the appropriation account under section 20.395 (3) (cq) of the statutes, as affected by this act, for fiscal year 1996–97 if the committee approves such action, or does not schedule a meeting for the purpose of reviewing the proposed action within 14 working days after such certification.

(3tx) STUDY OF COMMUTER RAIL SERVICE. The department of transportation shall conduct a study on the feasibility of extending commuter rail service between the state of Illinois and the cities of Beloit and Janesville. The department shall submit a report summarizing its findings and recommendations **no later than July 1, 1996**, to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes.

(3x) STATE TRUNK HIGHWAY DESIGNATION. The department of transportation shall negotiate the jurisdictional transfer of CTH “X” in Winnebago County from the county to the state. Upon completion of the transfer under this subsection, the department shall, notwithstanding section 84.02 of the statutes, mark as a new state trunk highway the route commencing at the junction of STH 44 and USH 41 in Winnebago County and proceeding southerly on STH 44 to its junction with CTH “X”; then proceeding westerly on CTH “X” to its junction with STH 116; and then proceeding westerly on STH 116 to the city of Berlin in Green Lake County.

(3y) TRANSPORTATION FINANCING STUDY.

(a) The department of transportation shall create a committee to study transportation financing. The committee shall consist of the following members:

1. One member of the assembly, appointed by the speaker of the assembly.

**Vetoed
In Part**

2. One member of the senate, appointed by the majority leader of the senate.

3. One member of the assembly, appointed by the assembly minority leader.

4. One member of the senate, appointed by the senate minority leader.

5. Three members appointed by the secretary of transportation.

(b) The committee shall study revenue sources for transportation funding, including the impact of differences in the tax rates of this state and bordering states on retailers in border areas. The committee shall also study state and local revenue sources for financing mass transit and possible alternatives to the current formulas used to distribute mass transit aid in this state. The committee shall submit a report containing its findings, conclusions, and recommendations for appropriate transportation funding sources for this state, to the legislature in the manner provided under section 13.172 (2) of the statutes and to the governor **no later than July 1, 1996.**

**Vetoed
In Part**

(4) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for purposes of the 1997-99 biennial budget bill, the department of transportation shall include recommendations for statutory changes that would provide for the separation of vehicle ownership from vehicle registration, to be effective with the completion of the redesign of the vehicle registration database.

(4m) DEPARTMENT RECORDS.

(a) Notwithstanding section 343.24 (2m) of the statutes, as affected by this act, the department of transportation may contract with a person to periodically furnish that person with any records on computer tape or other electronic media that contain information from files of motor vehicle accidents or uniform traffic citations and which were produced for or developed by the department for purposes related to maintenance of the operating record file data base. The department and the person desiring to contract with the department shall make a good faith effort to negotiate the purchase price for the records to be provided under this paragraph. No record may be furnished under this subsection after June 30, 1997.

(b) The department of transportation shall, no later than March 1, 1996, submit a report to each member of the joint committee on finance summarizing the terms and conditions of any contract entered into under paragraph (a). If the department enters into a contract under paragraph (a) after March 1, 1996, the department shall, prior to the next regular quarterly meeting of the joint committee on finance, submit to each member of that committee a report summarizing the terms and conditions of that contract.

(c) If, during the period of any contract entered into under paragraph (a), the department determines that the cost of providing operators' records, uniform traffic cita-

tions and motor vehicle accident reports under this subsection and section 343.24 (2m) of the statutes, as affected by this act, exceeds the total revenues received from the sale of those records, the department shall submit a report to each member of the joint committee on finance summarizing the expenditures and revenues related to the sale of those records.

(d) This subsection does not apply after June 30, 1997.

(5) ELDERLY AND DISABLED TRANSPORTATION EXPENDITURES STUDY. The department of transportation shall conduct a study to determine the total amount and sources of all funds expended in this state on transportation services for the elderly and disabled. On or before July 1, 1996, the department of transportation shall report the results of its study to the governor, and to the chief clerk of each house of the legislature for distribution in the manner provided under section 13.172 (2) of the statutes. All other state agencies shall cooperate with the department of transportation in conducting the study.

(6) REPAVING OF I 43. The department of transportation shall repave that portion of I 43 having a tined surface beginning before Henry Clay Street and extending beyond Bender and Devon streets in Milwaukee County, no later than October 1, 1996, for the purpose of eliminating the tined surface.

(6y) OUTDOOR ADVERTISING DISPLACEMENT COMPENSATION. The department of transportation shall, with the cooperation of the Outdoor Advertising Association and any other interested person, develop a fixed payment schedule of amounts to reimburse a person, at that person's election and in lieu of any payments under section ILHR 202.64, Wisconsin Administrative Code, who is displaced from an outdoor advertising sign by a transportation project and who is eligible for payment under section ILHR 202.64, Wisconsin Administrative Code, for expenses related to the displacement. The department shall submit the payment schedule to the cochairpersons of the joint committee on finance **no later than January 1, 1996,** for the approval of the joint committee on finance.

**Vetoed
In Part**

(8y) MAIN STREET BRIDGE. The department of transportation shall request the federal department of transportation to make an advance commitment of future federal funds to this state for the replacement of the Main Street bridge in the city of Green Bay and to specify the amount of those funds. The department of transportation shall contract, as soon as practicable after receiving a favorable response to that request, for the replacement of that bridge.

(9xg) POSITIONS DEAUTHORIZATION. The authorized FTE positions for the department of transportation for the division of highways and transportation services are decreased by 18.0 SEG positions and by 22.0 FED positions. In deauthorizing positions under this subsection, the department shall deauthorize positions vacant on the

effective date of this subsection that are directly related to highway design and production functions within the division of highways and transportation services.

(10g) FOND DU LAC AIRPORT CONSTRUCTION ACCELERATION. Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes for purposes of the 1997-99 biennial budget bill, the department of transportation shall submit information concerning the appropriation under section 20.395 (2) (dq) of the statutes as though an increase of \$500,000, for the purpose of accelerating the completion of airport improvement projects at the Fond du Lac County general aviation airport, by this act had not been made.

SECTION 9242. Appropriation changes; natural resources.

(1) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM. There is transferred from the appropriation account to the department of natural resources under section 20.370 (9) (mr) of the statutes, as affected by the acts of 1995, to the appropriation account to the department of transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1995, \$52,100 in fiscal year 1996-97.

SECTION 9255. Appropriation changes; transportation.

(1) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM.

(a) There is transferred from the appropriation account to the department of transportation under section 20.395 (5) (dq) of the statutes, as affected by the acts of 1995, to the appropriation account to the department of transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1995, \$35,500 in fiscal year 1996-97.

(b) There is transferred from the appropriation account to the department of transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of 1995, to the appropriation account to the department of transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1995, \$16,600 in fiscal year 1996-97.

SECTION 9348. Initial applicability; revenue.

(1) MOTOR VEHICLE FUEL EXEMPTIONS. The treatment of sections 78.005 (13g), 78.01 (2) (e) and (2m) (f), 78.40 (1) and 78.75 (1m) (a) 2. and 3. of the statutes first applies to fuel purchased on the first day of the first month beginning after publication.

Vetoed In Part (3xg) RAILROAD ROLLING STOCK. The treatment of sections 76.02 (10), 76.03 (1), and 76.07 (1), (2) and (4g) (a) 16. of the statutes first applies to taxes due on May 10, 1997.

SECTION 9355. Initial applicability; transportation.

(1) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment of sections 344.12, 344.14 (2) (e) and 346.70

(1) of the statutes first applies to accidents occurring on the effective date of this subsection.

(2) COMMERCIAL DRIVER LICENSES. The treatment of sections 343.10 (2) (a) 1., 343.245 (4) (b), 343.28 (1) and (2), 343.315 (2) (f) (intro.), (fm), (h) and (i) and 343.44 (4r) of the statutes first applies to offenses and refusals committed on the effective date of this subsection, but does not preclude the counting of other convictions, suspensions, revocations, disqualifications or refusals as prior convictions, suspensions, revocations, disqualifications or refusals for purposes of sentencing a person, suspending or revoking a person's operating privilege, disqualifying a person from operating a commercial motor vehicle or determining eligibility for an occupational license or authorization to operate certain vehicles.

(9j) TRANSPORTATION FACILITIES ECONOMIC ASSISTANCE AND DEVELOPMENT. The treatment of section 84.185 (6r) of the statutes first applies to aid provided under formal agreements executed after December 31, 1994.

Vetoed In Part

(9t) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395 (1) (bq), (bu), (dq), (dr), (ds), (dt) and (du) and 85.20 (4m) (a), (am), (e) and (em) 1. and (4s) of the statutes and the creation of section 85.20 (4m) (a) 1. to 5. of the statutes first apply to urban mass transit operating assistance payments for calendar year 1996.

SECTION 9400. Effective dates; general. Except as otherwise provided in SECTIONS 9401 to 9459 of this act, this act takes effect on the day after publication.

SECTION 9448. Effective dates; revenue.

(1g) RAILROAD ROLLING STOCK. The treatment of sections 76.02 (10), 76.03 (1) and 76.07 (1), (2) and (4g) (a) 16. of the statutes takes effect on January 1, 1997.

Vetoed In Part

SECTION 9455. Effective dates; transportation.

(1x) EMPLOYMENT TRANSIT ASSISTANCE PROGRAM. The treatment of section 25.40 (2) (b) 15g. of the statutes and the renumbering and amendment of section 20.395 (1) (bw) of the statutes take effect on July 1, 1996.

(2) AUTO DEALER LICENSES. The repeal and recreation of section 218.01 (2) (bd) 1g. and (3x) (b) 2. and 3. of the statutes takes effect on July 1, 1996.

(3) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment of sections 344.12, 344.14 (2) (e) and 346.70 (1) of the statutes and SECTION 9355 (1) of this act take effect on January 1, 1996.

(5) EXEMPTION REPORTS. The treatment of section 70.337 (7) of the statutes takes effect on March 31, 1996.

(6) INTERNATIONAL FUEL TAX AGREEMENT; PERMITS; FEES. The treatment of sections 20.395 (5) (cq), 25.40 (1) (a) 12., 341.43 and 341.45 (title), (1g) (a) and (b), (2), (3), (4m) and (5) of the statutes takes effect on January 1, 1996.

(7) AIRCRAFT REGISTRATION.

(a) The treatment of sections 114.002 (4), (11) and (13) and 114.20 (1) (title), (a) and (b), (2) (intro.) and (c), (5), (7), (9) (a) to (c) and (d), (9m) (intro.), (12), (13) (b)

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1., 2., 3. and 5. and (15) (b) of the statutes takes effect on November 1, 1996.

(8) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395 (1) (bq), (bu), (dq), (dr), (ds), (dt)

and (du) and 85.20 (4m) (a), (am), (e) and (em) 1. and (4s) of the statutes and the creation of section 85.20 (4m) (a) 1. to 5. of the statutes take effect on January 1, 1996.
