



**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1995 ASSEMBLY BILL 402**

May 30, 1995 – Offered by JOINT COMMITTEE ON FINANCE.

1     **AN ACT to repeal** 20.395 (1) (bz), 20.395 (2) (bt), 20.395 (4) (bh), 84.078 (1) (b),  
2           85.022 (1) (m), 85.20 (4m) (am), 85.20 (4m) (e), 85.50, 86.30 (2) (a) 3. c., 86.32  
3           (2) (am) 5. and 6., 114.002 (4), 114.002 (13), 114.20 (2) (c), 114.20 (7), 114.20 (13)  
4           (b) 3., 166.20 (7g), 341.14 (6r) (b) 3., 343.03 (1) (c), 343.03 (8), 343.14 (4) and  
5           343.265 (1) (a) and (b); **to renumber** 20.395 (1) (bs), 84.078 (1) (a), 85.085 (1)  
6           and 343.14 (3); **to renumber and amend** 85.20 (4m) (a), 85.26 (2) (a), 114.20  
7           (9) (a) to (c), 341.297 (2), 343.05 (4) (a) 3. and 343.265 (1) (intro.); **to amend**  
8           20.395 (1) (bq), 20.395 (1) (bu), 20.395 (2) (bu), 20.395 (3) (bq), 20.395 (3) (bv),  
9           20.395 (3) (bx), 20.395 (3) (cq), 20.395 (3) (cv), 20.395 (3) (cx), 20.395 (3) (eq),  
10          20.395 (3) (ev), 20.395 (3) (ex), 20.395 (5) (cq), 20.395 (5) (dk), 20.505 (1) (md),  
11          20.866 (2) (uv), 20.866 (2) (uw), 70.337 (7), 78.01 (1), 78.01 (2) (e), 78.01 (2m) (f),  
12          78.12 (2) (intro.), 78.12 (4) (a) 4., 78.12 (4) (b) 2., 78.12 (5) (a), 78.40 (1), 78.49  
13          (1) (a), 78.49 (1) (b), 78.75 (1m) (a) 2., 78.75 (1m) (a) 3., 84.013 (3) (ye), 84.06 (1),  
14          84.076 (5), 84.078 (2), 84.59 (6), 85.061 (3), 85.08 (4m) (e) 1., 85.085 (3), 85.20  
15          (4m) (em) 1., 85.20 (4s), 85.24 (3) (d) (intro.), 85.243 (title), 85.243 (2) (a), 86.30  
16          (2) (a) 3. d., 86.30 (9), 86.31 (3m), 86.315 (1), 110.08 (2), 114.002 (11), 114.20 (1)

1 (title), 114.20 (1) (a), 114.20 (1) (b), 114.20 (2) (intro.), 114.20 (5), 114.20 (9) (d),  
2 114.20 (12), 114.20 (13) (b) 1., 114.20 (13) (b) 2., 114.20 (13) (b) 5., 114.20 (15)  
3 (b), 121.555 (2) (c) 1., 144.449 (1) (c), 159.07 (3) (j), 159.17 (1) (d), 218.01 (2) (bd)  
4 1g., 218.01 (2) (bd) 1r., 218.01 (2c) (c), 218.01 (3) (a) 24., 218.01 (3x) (b) 2., 218.01  
5 (3x) (b) 3., 218.01 (3x) (c) 2., 218.01 (3x) (c) 1. (intro.), 218.01 (7m) (a), 218.01  
6 (7m) (c), 340.01 (7m), 340.01 (7r), 341.08 (4), 341.14 (6r) (b) 2., 341.14 (6r) (b)  
7 4., 341.26 (3) (a) 1., 341.43, 341.45 (title), 341.45 (1g) (a), 341.45 (1g) (b), 341.45  
8 (2), 341.45 (3), 341.45 (5), 343.02 (1), 343.03 (1) (a), 343.03 (1) (b), 343.03 (5),  
9 343.05 (2) (a) 2., 343.05 (2) (c), 343.055 (5), 343.06 (1) (c), 343.06 (2), 343.065  
10 (title), 343.065 (1), 343.065 (2), 343.10 (2) (a) 1., 343.10 (10) (a), 343.12 (2) (h),  
11 343.16 (1) (a), 343.17 (3) (e) 1., 343.21 (1) (g), 343.23 (2), 343.245 (3) (b) 3. and  
12 4., 343.245 (4) (b), 343.28 (1), 343.28 (2), 343.305 (10) (em), 343.315 (2) (f)  
13 (intro.), 343.315 (3) (a), 343.315 (3) (b), 343.32 (4), 343.325 (title), 343.325 (2),  
14 343.325 (3), 343.325 (3m), 343.325 (4), 343.325 (5), 343.325 (6) (a), 343.44 (title),  
15 343.44 (1), 343.44 (3), 344.12, 344.14 (2) (e), 346.70 (1), 348.15 (3) (bg), (br), (bv)  
16 and (e), 348.175, 348.19 (2) (b) and (4), 348.27 (4), (9m) and (9r), 349.16 (1)  
17 (intro.), (a) and (b) and 967.055 (2) (a); **to repeal and recreate** 20.005 (3)  
18 (schedule), 20.395 (2) (bq) (title), 78.40 (1), 114.20 (5), 114.20 (13) (b) 1., 114.20  
19 (13) (b) 2. and 343.03 (1) (title); and **to create** 20.395 (1) (bs), 20.395 (1) (bw),  
20 20.395 (3) (aq), 20.395 (3) (cs), 25.40 (1) (a) 12., 73.03 (29m), 78.005 (13g),  
21 78.017, 78.407, 84.01 (30), 84.013 (2) (c), 84.013 (3) (kb) to (km), 84.078 (1) (am),  
22 84.078 (1) (ar), 84.078 (3), 84.61, 85.022 (2), 85.026, 85.085 (1b), 85.20 (4m) (a)  
23 1. to 3., 85.20 (7), 85.243 (2) (b) 5., 85.26 (2) (a) 2., 86.30 (2) (a) 3. e., 86.30 (2)  
24 (a) 3. f., 86.32 (2) (am) 8., 86.32 (2) (am) 9., 114.20 (9m) (intro.), 144.442 (9) (b)  
25 3., 144.76 (9) (f), 168.12 (5m), 341.08 (2) (am), 341.08 (2) (cm), 341.08 (8), 341.21,

1 341.297 (2) (b), 341.45 (4g), 341.45 (4m), 343.01 (2) (cb), 343.01 (2) (d), 343.05  
2 (2) (c) 2., 343.14 (3) (b) and (c), 343.21 (1) (jm), 343.21 (1) (m), 343.245 (3) (b) 5.,  
3 343.315 (2) (fm), 343.315 (2) (h), 343.315 (2) (i), 343.44 (4r) and 349.16 (1) (d)  
4 of the statutes; **relating to:** state finances and appropriations for the  
5 department of transportation; increasing the rate for the motor vehicle fuel tax;  
6 the reporting date and payment date for the motor vehicle fuel tax; taxation of  
7 motor vehicle fuel that is not sold for use on highways; motor vehicle fuel and  
8 alternate fuel taxes and qualified motor vehicles; the international fuel tax  
9 agreement and the petroleum product inspection fee; authorizing construction  
10 of additional major highway projects; creating a reserve fund for state highway  
11 rehabilitation associated with a stadium for the Milwaukee Brewers and  
12 construction activities on the East-West Freeway; aids for county forest roads;  
13 environmental clean-up activities on lands acquired by the department of  
14 transportation; vehicle weight limit exceptions on a part of the national system  
15 of interstate and defense highways; numerous changes to the classified driver  
16 license system and commercial motor vehicle operation; eligibility for an  
17 occupational license; demerit point reduction for completion of a rider course  
18 relating to Type 1 motorcycle operation; vehicle accidents resulting in property  
19 damage; performance of motor vehicle registration and titling functions by  
20 motor vehicle dealers; farm truck registration; the fee for issuance or  
21 reissuance of special distinguishing motor vehicle registration plates;  
22 permitting the department of transportation to make, record and use digitized  
23 images of applicants for operators' licenses and identification cards; local  
24 transportation and connecting highway aids; the funding of the urban mass  
25 transit operating assistance program; reimbursement for town road

1 improvements under the local roads improvement program; repaving a portion  
 2 of I 43 in Milwaukee County; highway improvement projects and high-volume  
 3 industrial waste; authorizing the department of transportation to conduct  
 4 projects under the surface transportation discretionary grants program;  
 5 funding for a study of high-speed rail service; the employment transit  
 6 assistance program; bonding authority for rail passenger route development;  
 7 railroad rehabilitation and construction loans; rehabilitation of private road  
 8 crossings; the study of urban rail transit systems; the registration period and  
 9 fees applicable to aircraft; eliminating hazardous materials transportation  
 10 fees; delaying the expiration date of the disadvantaged business demonstration  
 11 and training program; exempting railroad property acquired by the  
 12 department of transportation from the tax-exempt property reporting  
 13 requirement; granting bonding authority; granting rule-making authority;  
 14 making appropriations; and providing penalties.

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

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

17 **20.395 Transportation, department of**

18	(1) Aids				
19	(ar) Corrections of transportation aid				
20	payments	SEG	S	-0-	-0-
21	(as) Transportation aids to counties,				
22	state funds	SEG	A	68,809,500	73,473,900

1	(at)	Transportation aids to				
2		municipalities, state funds	SEG	A	213,243,100	220,823,200
3	(bq)	Small communities transit				
4		operating aids, state funds	SEG	A	53,139,900	4,374,000
5	(br)	Milwaukee urban area rail transit				
6		system planning study, state funds	SEG	A	-0-	-0-
7	(bs)	Medium-sized communities transit				
8		operating aids, state funds	SEG	A	3,502,500	14,383,600
9	(bt)	Urban rail transit system grants	SEG	C	-0-	-0-
10	(bu)	Large communities transit				
11		operating aids, state funds	SEG	A	17,549,000	59,801,000
12	(bv)	Transit aids, local funds	SEG-L	C	-0-	-0-
13	(bw)	Employment transit aids, state				
14		funds	SEG	A	596,500	614,400
15	(bx)	Transit aids, federal funds	SEG-F	C	13,800,000	6,600,000
16	(by)	Employment transit aids, federal				
17		funds	SEG-F	C	-0-	-0-
18	(cq)	Elderly and disabled capital aids,				
19		state funds	SEG	A	733,700	755,700
20	(cr)	Elderly and disabled county aids,				
21		state funds	SEG	A	5,355,600	5,516,300
22	(cv)	Elderly and disabled aids, local				
23		funds	SEG-L	C	458,400	463,900
24	(cx)	Elderly and disabled aids, federal				
25		funds	SEG-F	C	1,100,000	1,100,000

1	(ds)	Demand management and				
2		ride-sharing grants, state funds	SEG	A	300,000	300,000
3	(ex)	Highway safety, local assistance,				
4		federal funds	SEG-F	C	1,700,000	1,700,000
5	(fq)	Connecting highways aids, state				
6		funds	SEG	A	11,584,500	11,996,400
7	(fs)	Flood damage aids, state funds	SEG	S	600,000	600,000
8	(ft)	Lift bridge aids, state funds	SEG	B	1,350,000	1,500,000
9	(fu)	County forest road aids, state funds	SEG	A	541,500	541,500
10	(gq)	Expressway policing aids, state				
11		funds	SEG	A	828,400	853,300

(1) PROGRAM TOTALS

SEGREGATED FUNDS	395,192,600	405,397,200
FEDERAL	(16,600,000)	(9,400,000)
OTHER	(378,134,200)	(395,533,300)
LOCAL	(458,400)	(463,900)
TOTAL-ALL SOURCES	395,192,600	405,397,200

12	(2)	LOCAL TRANSPORTATION ASSISTANCE				
13	(aq)	Accelerated local bridge				
14		improvement assistance, state				
15		funds	SEG	C	5,075,000	1,000,000
16	(av)	Accelerated local bridge				
17		improvement assistance, local				
18		funds	SEG-L	C	1,691,700	333,300
19	(ax)	Accelerated local bridge				
20		improvement assistance, federal				
21		funds	SEG-F	C	-0-	-0-
22	(bq)	Rail service assistance, state funds	SEG	C	656,400	656,400

1	(br)	Rail passenger service, state funds	SEG	B	572,500	572,500
2	(bu)	Freight rail infrastructure				
3		improvements, state funds	SEG	C	5,579,800	5,579,800
4	(bv)	Rail service assistance, local funds	SEG-L	C	500,000	500,000
5	(bw)	Freight rail assistance loan				
6		repayments, local funds	SEG-L	C	-0-	-0-
7	(bx)	Rail service assistance, federal				
8		funds	SEG-F	C	50,000	50,000
9	(cq)	Harbor assistance, state funds	SEG	C	580,700	580,700
10	(dq)	Aeronautics assistance, state funds	SEG	C	12,863,900	12,863,900
11	(dv)	Aeronautics assistance, local funds	SEG-L	C	6,985,200	6,985,200
12	(dx)	Aeronautics assistance, federal				
13		funds	SEG-F	C	20,000,000	20,000,000
14	(eq)	Highway and local bridge				
15		improvement assistance, state				
16		funds	SEG	C	8,188,200	9,170,000
17	(ev)	Local bridge improvement				
18		assistance, local funds	SEG-L	C	8,182,300	8,427,700
19	(ex)	Local bridge improvement				
20		assistance, federal funds	SEG-F	C	24,538,200	24,538,200
21	(fr)	Local roads improvement program,				
22		state funds	SEG	C	11,336,400	11,676,500
23	(fv)	Local transportation facility				
24		improvement assistance, local				
25		funds	SEG-L	C	25,833,400	26,173,500

1	(fx) Local transportation facility				
2	improvement assistance, federal				
3	funds	SEG-F	C	57,538,000	57,538,000
4	(gq) Railroad crossing improvement and				
5	protection maintenance, state funds	SEG	A	2,250,000	2,250,000
6	(gr) Railroad crossing improvement and				
7	protection installation, state funds	SEG	A	450,000	450,000
8	(gs) Railroad crossing repair assistance,				
9	state funds	SEG	C	-0-	-0-
10	(gv) Railroad crossing improvement,				
11	local funds	SEG-L	C	-0-	-0-
12	(gx) Railroad crossing improvement,				
13	federal funds	SEG-F	C	1,849,300	1,849,300
14	(hq) Multimodal transportation studies,				
15	state funds	SEG	C	750,000	750,000
16	(hx) Multimodal transportation studies,				
17	federal funds	SEG-F	C	-0-	-0-
18	(iq) Transportation facilities economic				
19	assistance and development, state				
20	funds	SEG	C	3,605,000	3,713,200
21	(iv) Transportation facilities economic				
22	assistance and development, local				
23	funds	SEG-L	C	3,605,000	3,713,200
24	(iw) Transportation facility				
25	improvement loans, local funds	SEG-L	C	-0-	-0-

1	(ix)	Transportation facilities economic				
2		assistance & development, federal				
3		funds	SEG-F	C	-0-	-0-
4	(jq)	Surface transportation grants, state				
5		funds	SEG	C	-0-	-0-
6	(jv)	Surface transportation grants, local				
7		funds	SEG-L	C	1,000,000	1,000,000
8	(jx)	Surface transportation grants,				
9		federal funds	SEG-F	C	4,000,000	4,000,000
10	(kv)	Congestion mitigation and air				
11		quality improvement, local funds	SEG-L	C	2,207,400	2,207,400
12	(kx)	Congestion mitigation and air				
13		quality improvement, federal funds	SEG-F	C	8,829,500	8,829,500
14	(mq)	Local assistance administration,				
15		state funds	SEG	A	1,463,000	1,460,700
16	(mv)	Local assistance administration,				
17		local funds	SEG-L	C	-0-	-0-
18	(mx)	Local assistance administration,				
19		federal funds	SEG-F	C	300,000	300,000

**(2) PROGRAM TOTALS**

SEGREGATED FUNDS	220,480,900	217,169,000
FEDERAL	(117,105,000)	(117,105,000)
OTHER	(53,370,900)	(50,723,700)
LOCAL	(50,005,000)	(49,340,300)
TOTAL-ALL SOURCES	220,480,900	217,169,000

**(3) STATE HIGHWAY FACILITIES**

20	(aq)	Environmental clean-up activities,				
21		state funds	SEG	C	2,000,000	2,000,000
22						

1	(bq) Major highway development, state				
2	funds	SEG	C	14,875,500	15,322,100
3	(br) Major highway development,				
4	service funds	SEG-S	C	90,979,900	93,709,300
5	(bv) Major highway development, local				
6	funds	SEG-L	C	-0-	-0-
7	(bx) Major highway development,				
8	federal funds	SEG-F	C	59,550,500	61,337,000
9	(cq) State highway rehabilitation, state				
10	funds	SEG	C	254,167,900	295,834,300
11	(cs) Two-lane state highway				
12	rehabilitation, state funds	SEG	C	-0-	-0-
13	(cv) State highway rehabilitation, local				
14	funds	SEG-L	C	2,000,000	2,000,000
15	(cx) State highway rehabilitation,				
16	federal funds	SEG-F	C	157,666,000	155,879,500
17	(eq) Highway maintenance, repair and				
18	traffic operations, state funds	SEG	B	140,492,900	144,301,600
19	(ev) Highway maintenance, repair and				
20	traffic operations, local funds	SEG-L	C	250,000	250,000
21	(ex) Highway maintenance, repair and				
22	traffic operations, federal funds	SEG-F	C	-0-	-0-
23	(iq) Administration and planning, state				
24	funds	SEG	A	17,415,200	17,415,200

1	(ir)	Disadvantaged business				
2		mobilization assistance, state funds	SEG	C	-0-	-0-
3	(iv)	Administration and planning, local				
4		funds	SEG-L	C	-0-	-0-
5	(ix)	Administration and planning,				
6		federal funds	SEG-F	C	3,282,700	3,282,700
(3) PROGRAM TOTALS						
		SEGREGATED FUNDS			742,680,600	791,331,700
		FEDERAL			(220,499,200)	(220,499,200)
		OTHER			(428,951,500)	(474,873,200)
		SERVICE			(90,979,900)	(93,709,300)
		LOCAL			(2,250,000)	(2,250,000)
		TOTAL-ALL SOURCES			742,680,600	791,331,700
7	(4)	GENERAL TRANSPORTATION OPERATIONS				
8	(aq)	Departmental management and				
9		operations, state funds	SEG	A	38,488,800	38,303,000
10	(ar)	Minor construction projects, state				
11		funds	SEG	C	708,600	574,600
12	(at)	Capital building projects, service				
13		funds	SEG-S	C	4,674,000	4,674,000
14	(av)	Departmental management and				
15		operations, local funds	SEG-L	C	369,000	369,000
16	(ax)	Departmental management and				
17		operations, federal funds	SEG-F	C	6,825,000	6,825,000
18	(ch)	Gifts and grants	PR	C	-0-	-0-
19	(dq)	Demand management	SEG	A	250,500	250,500
20	(eq)	Data processing services, service				
21		funds	SEG-S	C	15,109,600	15,109,600

**SECTION 1**

1	(er)	Fleet operations, service funds	SEG-S	C	11,413,900	11,413,900
2	(es)	Other department services,				
3		operations, service funds	SEG-S	C	1,119,800	1,119,800
4	(et)	Equipment acquisition	SEG	A	-0-	-0-
(4) PROGRAM TOTALS						
		PROGRAM REVENUE			-0-	-0-
		OTHER			(-0-)	(-0-)
		SEGREGATED FUNDS			78,959,200	78,639,400
		FEDERAL			(6,825,000)	(6,825,000)
		OTHER			(39,447,900)	(39,128,100)
		SERVICE			(32,317,300)	(32,317,300)
		LOCAL			(369,000)	(369,000)
		TOTAL-ALL SOURCES			78,959,200	78,639,400
5	(5)	MOTOR VEHICLE SERVICES AND ENFORCEMENT				
6	(cg)	Vehicle registration, telephone				
7		renewal transactions, state funds	PR	C	-0-	-0-
8	(ch)	Repaired salvage vehicle				
9		examinations, state funds	PR	C	-0-	-0-
10	(cq)	Vehicle reg., inspection &				
11		maintenance & driver licensing,				
12		state funds	SEG	A	60,726,500	61,403,900
13	(cx)	Vehicle registration and driver				
14		licensing, federal funds	SEG-F	C	200,000	200,000
15	(dk)	Public safety radio management,				
16		service funds	PR-S	C	143,600	143,600
17	(dq)	Vehicle inspection, traffic				
18		enforcement and radio				
19		management, state funds	SEG	A	37,801,100	38,182,100

1	(dx) Vehicle inspection and traffic				
2	enforcement, federal funds	SEG-F	C	2,029,300	2,029,300
3	(hq) Motor veh. emission insp. and				
4	maint. program, contractor costs,				
5	state funds	SEG	A	8,021,700	8,021,700
6	(hx) Motor vehicle emission inspection				
7	and maintenance programs, federal				
8	funds	SEG-F	C	-0-	-0-
9	(iv) Municipal and county registration				
10	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	108,778,600	109,837,000
FEDERAL	(2,229,300)	(2,229,300)
OTHER	(106,549,300)	(107,607,700)
LOCAL	(-0-)	(-0-)
TOTAL-ALL SOURCES	108,922,200	109,980,600

11	(6) DEBT SERVICES				
12	(aq) Principal repayment and interest,				
13	transportation facilities, state funds	SEG	S	8,643,300	7,241,500
14	(ar) Principal repayment and interest,				
15	buildings, state funds	SEG	S	686,800	645,100
16	(as) Transportation facilities and				
17	highway projects revenue				
18	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

**SECTION 1**

20.395 DEPARTMENT TOTALS

PROGRAM REVENUE	143,600	143,600
OTHER	(-0-)	(-0-)
SERVICE	(143,600)	(143,600)
SEGREGATED FUNDS	1,555,422,000	1,610,260,900
FEDERAL	(363,258,500)	(356,058,500)
OTHER	(1,015,783,900)	(1,075,752,600)
SERVICE	(123,297,200)	(126,026,600)
LOCAL	(53,082,400)	(52,423,200)
TOTAL-ALL SOURCES	1,555,565,600	1,610,404,500

1           **SECTION 2.** 20.395 (1) (bq) of the statutes is amended to read:

2           20.395 (1) (bq) (title) *Transit Small communities transit operating aids, state*  
 3 *funds.* The amounts in the schedule for ~~the mass transit aid program~~ aids to small  
 4 communities under s. 85.20 (4m) (a) 1.

5           **SECTION 3.** 20.395 (1) (bs) of the statutes is renumbered 20.395 (1) (ds).

6           **SECTION 4.** 20.395 (1) (bs) of the statutes is created to read:

7           20.395 (1) (bs) *Medium-sized communities transit operating aids, state funds.*  
 8 The amounts in the schedule for mass transit aids to medium-sized communities  
 9 under s. 85.20 (4m) (a) 2.

10          **SECTION 5.** 20.395 (1) (bu) of the statutes is amended to read:

11          20.395 (1) (bu) (title) *Supplemental Large communities transit operating aids,*  
 12 *state funds.* The amounts in the schedule for ~~the mass transit aid program~~ aids to  
 13 large communities under s. 85.20 (4m) ~~(am)~~ (a) 3.

14          **SECTION 6.** 20.395 (1) (bw) of the statutes is created to read:

15          20.395 (1) (bw) *Employment transit aids, state funds.* The amounts in the  
 16 schedule for the employment transit assistance program under s. 85.26.

17          **SECTION 7.** 20.395 (1) (bz) of the statutes is repealed.

18          **SECTION 8.** 20.395 (2) (bq) (title) of the statutes is repealed and recreated to  
 19 read:

1           20.395 (2) (bq) (title) *Rail service assistance, state funds.*

2           **SECTION 9.** 20.395 (2) (bt) of the statutes is repealed.

3           **SECTION 10.** 20.395 (2) (bu) of the statutes is amended to read:

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

7           **SECTION 11.** 20.395 (3) (aq) of the statutes is created to read:

8           20.395 (3) (aq) *Environmental clean-up activities, state funds.* As a continuing  
9 appropriation, the amounts in the schedule for environmental clean-up activities  
10 under s. 84.01 (30).

11          **SECTION 12.** 20.395 (3) (bq) of the statutes is amended to read:

12          20.395 (3) (bq) *Major highway development, state funds.* As a continuing  
13 appropriation, the amounts in the schedule for major development of state trunk and  
14 connecting highways and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged  
15 business demonstration and training program under s. 84.076.

16          **SECTION 13.** 20.395 (3) (bv) of the statutes is amended to read:

17          20.395 (3) (bv) *Major highway development, local funds.* All moneys received  
18 from any local unit of government or other source for major development of state  
19 trunk and connecting highways, including the railroad and utility alteration and  
20 relocation loan program under s. 84.065, and, before ~~July 1, 1995~~ October 1, 1997,  
21 the disadvantaged business demonstration and training program under s. 84.076,  
22 for such purposes.

23          **SECTION 14.** 20.395 (3) (bx) of the statutes is amended to read:

24          20.395 (3) (bx) *Major highway development, federal funds.* All moneys received  
25 from the federal government for major development of state trunk and connecting

1 highways and, before ~~July 1, 1995~~ October 1, 1997, the disadvantaged business  
2 demonstration and training program under s. 84.076, for such purposes.

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

4 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing  
5 appropriation, the amounts in the schedule for improvement of existing state trunk  
6 and connecting highways; for improvement of bridges on state trunk or connecting  
7 highways and other bridges for which improvement is a state responsibility, for  
8 necessary approach work for such bridges and for replacement of such bridges with  
9 at-grade crossing improvements; for the construction and rehabilitation of the  
10 national system of interstate and defense highways and bridges and related  
11 appurtenances; for special maintenance activities under s. 84.04 on roadside  
12 improvements; for bridges under s. 84.10; for payment to a local unit of government  
13 for a jurisdictional transfer under s. 84.02 (8); and, before ~~July 1, 1995~~ October 1,  
14 1997, for the disadvantaged business demonstration and training program under s.  
15 84.076.

16 **SECTION 16.** 20.395 (3) (cs) of the statutes is created to read:

17 20.395 (3) (cs) *Two-lane state highway rehabilitation, state funds.* All moneys  
18 received from the sale of surplus land, as defined in s. 84.09 (8) (a), by the  
19 department, for the purpose of the rehabilitation of two-lane state trunk highways.

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

21 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received  
22 from any local unit of government or other source for the specific information sign  
23 program under s. 86.195; for improvement of existing state trunk and connecting  
24 highways; for improvement of bridges on state trunk or connecting highways and  
25 other bridges for which improvement is a state responsibility, for necessary approach

1 work for such bridges and for replacement of such bridges with at-grade crossing  
2 improvements; for the construction and rehabilitation of the national system of  
3 interstate and defense highways and bridges and related appurtenances; for special  
4 maintenance activities under s. 84.04 on roadside improvements; for the railroad  
5 and utility alteration and relocation loan program under s. 84.065 and, before July  
6 1, 1995 October 1, 1997, for the disadvantaged business demonstration and training  
7 program under s. 84.076, for such purposes.

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

9 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys  
10 received from the federal government for improvement of existing state trunk and  
11 connecting highways; for improvement of bridges on state trunk or connecting  
12 highways and other bridges for which improvement is a state responsibility, for  
13 necessary approach work for such bridges and for replacement of such bridges with  
14 at-grade crossing improvements; for the construction and rehabilitation of the  
15 national system of interstate and defense highways and bridges and related  
16 appurtenances; for special maintenance activities under s. 84.04 on roadside  
17 improvements and, before July 1, 1995 October 1, 1997, for the disadvantaged  
18 business demonstration and training program under s. 84.076, for such purposes.

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

20 20.395 (3) (eq) *Highway maintenance, repair and traffic operations, state*  
21 *funds.* Biennially, the amounts in the schedule for the maintenance and repair of  
22 roadside improvements under s. 84.04, state trunk highways under s. 84.07 and  
23 bridges that are not on the state trunk highway system under s. 84.10; for highway  
24 operations such as permit issuance, pavement marking, highway signing, traffic  
25 signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27

1 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business  
2 demonstration and training program under s. 84.076. This paragraph does not apply  
3 to special maintenance activities under s. 84.04 on roadside improvements.

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

5 20.395 (3) (ev) *Highway maintenance, repair and traffic operations, local*  
6 *funds.* All moneys received from any local unit of government or other sources for  
7 the maintenance and repair of roadside improvements under s. 84.04, state trunk  
8 highways under s. 84.07 and bridges that are not on the state trunk highway system  
9 under s. 84.10; for signing under s. 86.195; for highway operations such as permit  
10 issuance, pavement marking, highway signing, traffic signalization and highway  
11 lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; and, before  
12 ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and  
13 training program under s. 84.076; for such purposes. This paragraph does not apply  
14 to special maintenance activities under s. 84.04 on roadside improvements.

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

16 20.395 (3) (ex) *Highway maintenance, repair and traffic operations, federal*  
17 *funds.* All moneys received from the federal government for the maintenance and  
18 repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07  
19 and bridges that are not on the state trunk highway system under s. 84.10; for  
20 highway operations such as permit issuance, pavement marking, highway signing,  
21 traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25  
22 to 348.27 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged  
23 business demonstration and training program under s. 84.076; for such purposes.  
24 This paragraph does not apply to special maintenance activities under s. 84.04 on  
25 roadside improvements.

1           **SECTION 22.** 20.395 (4) (bh) of the statutes is repealed.

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

3           20.395 (5) (cq) *Vehicle registration, inspection and maintenance and driver*  
4 *licensing, state funds.* The amounts in the schedule for administering the vehicle  
5 registration and driver licensing program, including the traffic violation and  
6 registration program and the driver license reinstatement training program under  
7 s. 85.28, for administering the motor vehicle emission inspection and maintenance  
8 program under s. 110.20, for the training of inspectors under s. 110.22, for  
9 administering the fuel tax and fee reporting program under s. 341.45 and to  
10 compensate for services performed, as determined by the secretary of transportation,  
11 by any county providing registration services.

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

13           20.395 (5) (dk) *Public safety radio management, service funds.* From the  
14 general fund, all moneys received by the department from the department and from  
15 other state agencies for purposes related to the statewide public safety radio  
16 management program under s. 85.12, for that purpose.

17           **SECTION 25.** 20.505 (1) (md) of the statutes is amended to read:

18           20.505 (1) (md) *Oil overcharge restitution funds.* All federal moneys received  
19 as oil overcharge funds, as defined in s. 14.065 (1), for expenditure under proposals  
20 approved by the joint committee on finance under s. 14.065 ~~and for transfers under~~  
21 ~~1993 Wisconsin Act 16, section 9201 (1z).~~

22           **SECTION 26.** 20.866 (2) (uv) of the statutes is amended to read:

23           20.866 (2) (uv) *Transportation, harbor improvements.* From the capital  
24 improvement fund, a sum sufficient for the department of transportation to provide

1 grants for harbor improvements. The state may contract public debt in an amount  
2 not to exceed ~~\$9,000,000~~ \$12,000,000 for this purpose.

3 **SECTION 27.** 20.866 (2) (uw) of the statutes is amended to read:

4 20.866 (2) (uw) *Transportation; rail acquisitions and improvements.* From the  
5 capital improvement fund, a sum sufficient for the department of transportation to  
6 acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and  
7 loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d);  
8 ~~and to credit the appropriation account under s. 20.395 (2) (bt) as reimbursement for~~  
9 ~~initial temporary funding of acquisitions, grants or loans authorized under 1993~~  
10 ~~Wisconsin Act 16, section 9154 (4n).~~ The state may contract public debt in an amount  
11 not to exceed ~~\$10,000,000~~ \$14,500,000 for these purposes.

12 **SECTION 28.** 25.40 (1) (a) 12. of the statutes is created to read:

13 25.40 (1) (a) 12. Fees collected under s. 341.45 (1g) (a) that are required under  
14 s. 341.45 (4m) to be deposited in the petroleum inspection fund.

15 **SECTION 29.** 70.337 (7) of the statutes is amended to read:

16 70.337 (7) This section does not apply to property that is exempt under s. 70.11  
17 (13), (13m), (15), (15m), (21) or (30), property that is exempt under s. 70.11 (18) if a  
18 payment in lieu of taxes is made for that property, lake beds owned by the state, state  
19 forests under s. 28.03 or 28.035, county forests under s. 28.10, property acquired by  
20 the department of transportation under s. 85.08 (2) (L) or 85.09 or highways, as  
21 defined in s. 340.01 (22).

22 **SECTION 30.** 73.03 (29m) of the statutes is created to read:

23 73.03 (29m) To provide on an appropriate tax form, as determined by the  
24 secretary of revenue, a place for taxpayers to certify that they had at least \$6,000 in  
25 gross farm profits, as defined in s. 71.58 (4), for the applicable taxable year.

1           **SECTION 31.** 78.005 (13g) of the statutes is created to read:

2           78.005 (**13g**) “Recreational motorboat” means a motorboat used predominately  
3 for entertainment, amusement or recreation, whether or not it is used in a trade or  
4 business.

5           **SECTION 32.** 78.01 (1) of the statutes is amended to read:

6           78.01 (**1**) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate  
7 determined under ~~s.~~ ss. 78.015 and 78.017 is imposed on all motor vehicle fuel  
8 received by a supplier for sale in this state, for sale for export to this state or for export  
9 to this state except as otherwise provided in this chapter. The motor vehicle fuel tax  
10 is to be computed and paid as provided in this chapter. Except as otherwise provided  
11 in this chapter, a person who receives motor vehicle fuel under s. 78.07 shall collect  
12 from the purchaser of the motor vehicle fuel that is received, and the purchaser shall  
13 pay to the person who receives the motor vehicle fuel under s. 78.07, the tax imposed  
14 by this section on each sale of motor vehicle fuel at the time of the sale, irrespective  
15 of whether the sale is for cash or on credit. In each subsequent sale or distribution  
16 of motor vehicle fuel on which the tax has been collected as provided in this  
17 subsection, the tax collected shall be added to the selling price so that the tax is paid  
18 ultimately by the user of the motor vehicle fuel.

19           **SECTION 33.** 78.01 (2) (e) of the statutes is amended to read:

20           78.01 (**2**) (e) Gasoline sold for nonhighway use other than use in a snowmobile,  
21 an all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or  
22 a recreational motorboat or in mobile machinery and equipment and delivered  
23 directly into the consumer’s storage tank in an amount of not less than 100 gallons.

24           **SECTION 34.** 78.01 (2m) (f) of the statutes is amended to read:

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

5           **SECTION 35.** 78.017 of the statutes is created to read:

6           **78.017 Adjustment in 1995.** On August 1, 1995, the rate of the tax imposed  
7 under s. 78.01 (1) is increased by 15%, rounded to the nearest 0.1 cent.

8           **SECTION 36.** 78.12 (2) (intro.) of the statutes is amended to read:

9           78.12 (2) **REPORTS OF LICENSEES.** (intro.) Each licensee shall, not later than the  
10 last 20th day of each month, file with the department, or, if the department so  
11 requires, file electronically with any state agency that the department specifies, on  
12 forms prescribed and furnished by the department, a report that indicates for the  
13 month before the month during which the report is due the following:

14           **SECTION 37.** 78.12 (4) (a) 4. of the statutes is amended to read:

15           78.12 (4) (a) 4. Multiply the number of gallons under subd. 3. by the rate under  
16 s. 78.015 as increased under s. 78.017.

17           **SECTION 38.** 78.12 (4) (b) 2. of the statutes is amended to read:

18           78.12 (4) (b) 2. Multiply the number of gallons under subd. 1. by the rate under  
19 s. 78.015 as increased under s. 78.017.

20           **SECTION 39.** 78.12 (5) (a) of the statutes is amended to read:

21           78.12 (5) (a) Licensed suppliers shall pay taxes on motor vehicle fuel no later  
22 than the ~~15th~~ 20th day of the month for motor vehicle fuel sold during the previous  
23 month. At the option of a wholesaler distributor, a licensed supplier shall allow the  
24 wholesaler distributor to delay paying the tax to the licensed supplier until the date  
25 that the tax is due to this state. A wholesaler distributor who makes delayed

1 payments shall make the payments by electronic funds transfer. If a wholesaler  
2 distributor fails to make timely payments, the licensed supplier may terminate the  
3 right of the wholesaler distributor to make delayed payments. Each licensed  
4 supplier shall notify the department of each wholesaler distributor who makes  
5 delayed payments of the tax. The department may require any wholesaler  
6 distributor who makes delayed payments of the tax to file with the department a  
7 surety bond payable to this state in an amount not to exceed 3 times the highest  
8 estimated monthly tax owed by the wholesaler distributor. Whenever the  
9 wholesaler distributor pays the licensed supplier, the licensed supplier shall credit  
10 the wholesaler distributor's account for the amount of tax reduction that results from  
11 the calculation under s. 78.12 (4) (a) 2.

12 **SECTION 40.** 78.40 (1) of the statutes, as affected by 1995 Wisconsin Act .... (this  
13 act), is repealed and recreated to read:

14 **78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID.** An excise tax at the rate  
15 determined under ss. 78.405 and 78.407 is imposed on the use of alternate fuels. The  
16 tax, with respect to all alternate fuel delivered by an alternate fuel dealer into supply  
17 tanks of motor vehicles in this state, attaches at the time of delivery and shall be  
18 collected by the dealer from the alternate fuels user and shall be paid to the  
19 department. The tax, with respect to alternate fuels acquired by any alternate fuels  
20 user other than by delivery by an alternate fuel dealer into a fuel supply tank of a  
21 motor vehicle, or of a snowmobile, an all-terrain vehicle that is not registered for  
22 private use under s. 23.33 (2) (d) or a recreational motorboat, attaches at the time of  
23 the use of the fuel and shall be paid to the department by the user. The department  
24 may permit any supplier of alternate fuels to report and pay to the department the

1 tax on alternate fuels delivered into the storage facility of an alternate fuels user or  
2 retailer which will be consumed for alternate fuels tax purposes or sold at retail.

3 **SECTION 41.** 78.40 (1) of the statutes is amended to read:

4 78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate  
5 determined under s. 78.405 is imposed on the use of alternate fuels. The tax, with  
6 respect to all alternate fuel delivered by an alternate fuel dealer into supply tanks  
7 of motor vehicles in this state, attaches at the time of delivery and shall be collected  
8 by the dealer from the alternate fuels user and shall be paid to the department. The  
9 tax, with respect to alternate fuels acquired by any alternate fuels user other than  
10 by delivery by an alternate fuel dealer into a fuel supply tank of a motor vehicle, or  
11 of a snowmobile, an all-terrain vehicle that is not registered for private use under  
12 s. 23.33 (2) (d) or a recreational motorboat, attaches at the time of the use of the fuel  
13 and shall be paid to the department by the user. The department may permit any  
14 supplier of alternate fuels to report and pay to the department the tax on alternate  
15 fuels delivered into the storage facility of an alternate fuels user or retailer which will  
16 be consumed for alternate fuels tax purposes or sold at retail.

17 **SECTION 42.** 78.407 of the statutes is created to read:

18 **78.407 Adjustment in 1995.** On August 1, 1995, the rate of the tax imposed  
19 under s. 78.40 (1) is increased by 15%, rounded to the nearest 0.1 cent.

20 **SECTION 43.** 78.49 (1) (a) of the statutes is amended to read:

21 78.49 (1) (a) For the purpose of determining the amount of liability to the state  
22 for the tax under this subchapter, except as provided in par. (b), each alternate fuels  
23 licensee shall, not later than the last 20th day of each month, file a monthly report  
24 for the next preceding month with the department on forms furnished and prescribed  
25 by it. Such report shall contain a declaration by the licensee that the statements

1 contained therein are accurate and are a true return of the amount of the alternate  
2 fuels tax due and shall be subscribed by the licensee or the licensee's duly authorized  
3 agent. The report shall show, with reference to each location at which an alternate  
4 fuel is delivered or placed by such licensee into a fuel supply tank of any motor  
5 vehicle, the information that the department reasonably requires for the proper  
6 administration and enforcement of the tax under this subchapter. The department  
7 shall give due consideration to the varying types of operations and transactions in  
8 specifying the information required.

9 **SECTION 44.** 78.49 (1) (b) of the statutes is amended to read:

10 78.49 (1) (b) The department may allow alternate fuels licensees whose tax  
11 liability is less than \$500 per quarter to file on a quarterly basis. Quarterly reports  
12 shall be mailed on or before the last 20th day of the next month following the end of  
13 each calendar quarter. The report shall contain the declaration, subscription and  
14 information specified in par. (a).

15 **SECTION 45.** 78.75 (1m) (a) 2. of the statutes is amended to read:

16 78.75 (1m) (a) 2. A person who uses motor vehicle fuel or an alternate fuel upon  
17 which has been paid the tax required under this chapter for the purpose of operating  
18 a snowmobile, as defined under s. 340.01 (58a), an aircraft, as defined under s. 78.55  
19 (2), or a motorboat, as defined under s. 30.50 (6), unless the motorboat is ~~exempt from~~  
20 ~~registration as a motor vehicle under s. 341.05 (20)~~ not a recreational motorboat, may  
21 not be reimbursed or repaid the amount of tax paid.

22 **SECTION 46.** 78.75 (1m) (a) 3. of the statutes is amended to read:

23 78.75 (1m) (a) 3. Claims under subd. 1 shall be made and filed upon forms  
24 prescribed and furnished by the department. The forms shall indicate that refunds  
25 are not available for motor vehicle fuel or alternate fuels used for motorboats, except

1 motorboats exempt from registration as motor vehicles under s. 341.05 (20) and  
2 recreational motorboats, or motor vehicle fuel or alternate fuels used for  
3 snowmobiles and that the estimated snowmobile motor vehicle fuel or alternate fuels  
4 tax payments are used for snowmobile trails and areas. The forms shall indicate that  
5 refunds are not available for motor vehicle fuel or alternate fuels used for all-terrain  
6 vehicles unless the all-terrain vehicle is registered for private use under s. 23.33 (2)  
7 (d) and shall indicate that estimated all-terrain vehicle motor vehicle fuel or  
8 alternate fuels tax payments are used for all-terrain vehicle trails and areas. The  
9 forms shall also indicate that refunds are not available for the tax on less than 100  
10 gallons. The department shall distribute forms in sufficient quantities to each  
11 county clerk.

12 **SECTION 47.** 84.01 (30) of the statutes is created to read:

13 84.01 (30) ENVIRONMENTAL CLEAN-UP ACTIVITIES. From the appropriation under  
14 s. 20.395 (3) (aq), the department may fund environmental clean-up activities on  
15 lands acquired by the department that are not eligible to receive funding for such  
16 activities as part of a highway improvement project. Nothing in this subsection  
17 relieves a person from any responsibility to reimburse the department for any costs  
18 incurred by the department under this subsection.

19 **SECTION 48.** 84.013 (2) (c) of the statutes is created to read:

20 84.013 (2) (c) The department shall give priority to the completion of the major  
21 highway project authorized in sub. (3) (vL) in programming the expenditure of funds  
22 for major highway projects.

23 **SECTION 49.** 84.013 (3) (kb) to (km) of the statutes are created to read:

1           84.013 (3) (kb) USH 151 extending approximately 18.2 miles between USH 151  
2 west of Belmont and STH 23 south of Dodgeville, designated as the Belmont to  
3 Dodgeville project, in Lafayette and Iowa counties.

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

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

12           **SECTION 50.** 84.013 (3) (ye) of the statutes is amended to read:

13           84.013 (3) (ye) USH 10 between Appleton and Marshfield, in Winnebago,  
14 Outagamie, Waupaca, Portage and Wood counties.

15           **SECTION 51.** 84.06 (1) of the statutes is amended to read:

16           84.06 (1) (title) DEFINITIONS, ~~PLANS.~~ ~~“Improvement”~~ In this section,  
17 “improvement” or “highway improvement” as ~~used in this section~~ includes  
18 construction, reconstruction and the activities, operations and processes incidental  
19 to building, fabricating or bettering a highway, public mass transportation system  
20 or street, but not maintenance.

21           **(1m)** (title) PLANS. The department may prepare plans, estimates and  
22 specifications and undertake and perform all surveys, investigations and  
23 engineering work for any highway improvement within its jurisdiction. When  
24 provision has been made for the necessary funds for any such highway improvement  
25 and, if federal aid is to be utilized, when the project has been approved by the proper

1 federal authorities, the department may proceed as provided in this section, with due  
2 regard to any applicable federal requirement or regulation.

3 **SECTION 52.** 84.076 (5) of the statutes is amended to read:

4 84.076 (5) SUNSET. This section does not apply after ~~June 30, 1995~~ September  
5 30, 1997.

6 **SECTION 53.** 84.078 (1) (a) of the statutes is renumbered 84.078 (1) (bm).

7 **SECTION 54.** 84.078 (1) (am) of the statutes is created to read:

8 84.078 (1) (am) "High-volume industrial waste" means fly ash, bottom ash,  
9 paper mill sludge or foundry process waste, or any other waste with similar  
10 characteristics specified by the department of natural resources by rule.

11 **SECTION 55.** 84.078 (1) (ar) of the statutes is created to read:

12 84.078 (1) (ar) "Highway improvement" has the meaning given in s. 84.06 (1).

13 **SECTION 56.** 84.078 (1) (b) of the statutes is repealed.

14 **SECTION 57.** 84.078 (2) of the statutes is amended to read:

15 84.078 (2) The department shall use or encourage the use of the maximum  
16 possible amount of recovered material, including ash from industrial or utility  
17 boilers, foundry sand, glass, ~~paper mill sludge~~, wastepaper, pavement and rubber  
18 ~~recovered from waste tires~~ high-volume industrial waste as surfacing material,  
19 structural material, landscaping material and fill for all highway improvements, as  
20 ~~defined under s. 84.06 (1)~~, consistent with standard engineering practices. The  
21 department shall specify the proportion of recovered material that may be used in  
22 various types of highway improvements.

23 **SECTION 58.** 84.078 (3) of the statutes is created to read:

24 84.078 (3) (a) Notwithstanding chs. 144, 147 and 160, no person is required to  
25 take or pay for any remedial or corrective action as a result of environmental

1 pollution resulting from the use of high-volume industrial waste in a highway  
2 improvement project if all of the following apply:

3 1. The high-volume industrial waste is incorporated into the highway  
4 improvement in accordance with the policies, guidelines and rules applicable to the  
5 highway improvement at the time of the design of the improvement and at the time  
6 of certification under subd. 2.

7 2. The department of natural resources certifies to the department of  
8 transportation, before the time that the department of transportation advertises for  
9 bids for the improvement, that the high-volume industrial waste intended to be used  
10 and the design for the use of the high-volume industrial waste comply with all state  
11 requirements.

12 (b) The exemption under par. (a) extends to the transportation of high-volume  
13 industrial waste to or from the site of a highway improvement and to the storage of  
14 high-volume industrial waste at the site of a highway improvement. The exemption  
15 provided under par. (a) continues to apply after the date of certification by the  
16 department of natural resources under par. (a) 2., notwithstanding the occurrence  
17 of any of the following:

18 1. Statutes or rules are amended that would impose greater responsibilities on  
19 the department of transportation.

20 2. Alterations due to construction, maintenance, utility installation or other  
21 activities by the department of transportation or approved by the department of  
22 transportation after the completion of the highway improvement affect the  
23 high-volume industrial waste at the site of the highway improvement.

24 (c) The department of transportation and the department of natural resources  
25 may enter into agreements establishing standard lists of high-volume industrial

1 waste that may be used in highway improvements and designs for the use of  
2 high-volume industrial waste in highway improvements that comply with rules of  
3 the department of natural resources applicable at the time of the design of the  
4 highway improvement in order to simplify certification under par. (a) 2. to the  
5 greatest extent possible.

6 (d) 1. No state agency may commence an action or proceeding under federal or  
7 state law to require remedial action or to recover the costs of remedying  
8 environmental pollution related to the use of high-volume industrial waste in a  
9 highway improvement certified under par. (a) 2.

10 2. No person may commence an action under state law to require remedial  
11 action or to recover the costs of remedying environmental pollution related to the use  
12 of high-volume industrial waste in a highway improvement certified under par. (a)  
13 2.

14 **SECTION 59.** 84.59 (6) of the statutes is amended to read:

15 84.59 (6) Revenue obligations may be contracted by the building commission  
16 when it reasonably appears to the building commission that all obligations incurred  
17 under this section can be fully paid from moneys received or anticipated and pledged  
18 to be received on a timely basis. Revenue obligations issued under this section shall  
19 not exceed ~~\$950,834,000~~ \$1,055,952,500 in principal amount, excluding obligations  
20 issued to refund outstanding revenue obligations. Not more than ~~\$841,634,000~~  
21 \$1,013,072,300 of the ~~\$950,834,000~~ \$1,055,952,500 may be used for transportation  
22 facilities under s. 84.01 (28) and major highway projects under ss. 84.06 and 84.09.

23 **SECTION 60.** 84.61 of the statutes is created to read:

24 **84.61 Milwaukee Brewers stadium project; East-West Freeway.** (1)

25 There is established in the transportation fund a reserve account consisting of

1       \$26,100,000 for the purpose of funding state highway rehabilitation associated with  
2       the construction of a new stadium to be used by the Milwaukee Brewers, a  
3       professional baseball team located in Milwaukee County, or construction activities  
4       relating to highway resurfacing or bridge repair on the East-West Freeway from  
5       downtown Milwaukee to Waukesha.

6           **(2)** Notwithstanding s. 13.101 (3) (a), the joint committee on finance may  
7       supplement, from the appropriation under s. 20.865 (4) (u), by an amount not to  
8       exceed \$26,100,000, the appropriation under s. 20.395 (3) (cq), for any of the purposes  
9       specified in sub. (1). The reserve account established under sub. (1) shall be reduced  
10      by the amount of any supplemental appropriation made under this subsection.

11           **(3)** This section does not apply after June 30, 1999.

12           **SECTION 61.** 85.022 (1) (m) of the statutes is repealed.

13           **SECTION 62.** 85.022 (2) of the statutes is created to read:

14           85.022 **(2)** (a) The department shall allocate \$250,000 in each fiscal year of the  
15       1995-97 biennium from the appropriation under s. 20.395 (2) (hq) for a study of  
16       high-speed rail service in the southern transportation corridor between this state  
17       and the state of Minnesota.

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

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

23           **SECTION 63.** 85.026 of the statutes is created to read:

1           **85.026 Urban rail transit system studies.** Notwithstanding any other  
2 provision of this chapter, the department may not expend any moneys for the study  
3 of an urban rail transit system, including any light rail transit system.

4           **SECTION 64.** 85.061 (3) of the statutes is amended to read:

5           85.061 (3) PROGRAM. The department shall administer a rail passenger route  
6 development program. From the appropriation under s. 20.866 (2) (up), the  
7 department may fund capital costs related to Amtrak service extension routes or  
8 other rail service routes between the cities of Milwaukee and Madison and between  
9 the cities of Milwaukee and Green Bay. ~~The extension of the~~ Any route between the  
10 cities of Milwaukee and Green Bay funded under the program shall provide service  
11 to population centers along the route in a manner that makes the route most  
12 economically feasible. The department may not use any proceeds from the bond issue  
13 authorized under s. 20.866 (2) (up) for ~~the extension of~~ a route under this subsection  
14 unless the department submits evidence to the joint committee on finance that  
15 Amtrak or the applicable railroad has agreed to provide rail passenger service on  
16 that ~~extension~~ route and the joint committee on finance approves the use of the  
17 proceeds. The department may contract with Amtrak, railroads or other persons to  
18 perform the activities under this subsection.

19           **SECTION 65.** 85.08 (4m) (e) 1. of the statutes is amended to read:

20           85.08 (4m) (e) 1. Upon the request of an eligible applicant, the department may  
21 negotiate and enter into a loan agreement with the eligible applicant for purposes  
22 of rehabilitating a rail line or to finance an economic development and transportation  
23 efficiency project, including a project designed to promote safety or the viability of  
24 a statewide system of freight rail service, to assist intermodal freight movement or  
25 to provide industry access to a rail line. A loan made under this paragraph shall

1 finance a project that confers a public benefit or enhances economic development in  
2 this state. Loans made under this paragraph shall be paid from the appropriation  
3 under s. 20.395 (2) ~~(bt)~~, (bu), (bw) or (bx).

4 **SECTION 66.** 85.085 (1) of the statutes is renumbered 85.085 (1m).

5 **SECTION 67.** 85.085 (1b) of the statutes is created to read:

6 85.085 **(1b)** In this section, “rehabilitated” means a significant rebuilding of  
7 railroad track that restores severely deteriorated track to a minimum service  
8 standard or, for track that is at or above a minimum service standard, that increases  
9 the service standard of the track.

10 **SECTION 68.** 85.085 (3) of the statutes is amended to read:

11 85.085 **(3)** The department shall not make any payment under this section  
12 unless the applicable private road crossing permit provides that the rail transit  
13 commission shall, at the user’s sole cost and expense, maintain, repair and renew the  
14 private road crossing. “Maintain, repair and renew” does not include any rebuilding  
15 of a private road crossing that is required because the applicable tracks have been  
16 rehabilitated.

17 **SECTION 69.** 85.20 (4m) (a) of the statutes is renumbered 85.20 (4m) (a) (intro.)

18 and amended to read:

19 85.20 **(4m)** (a) (intro.) ~~From the amounts appropriated under s. 20.395 (1) (bq),~~  
20 ~~an amount equal to 42% of the projected operating expenses of each eligible~~  
21 ~~applicant’s urban mass transit system~~ An amount shall be allocated to each eligible  
22 applicant. to ensure that the sum of state and federal aids for the projected operating  
23 expenses of each eligible applicant’s urban mass transit system is equal to a uniform  
24 percentage, established by the department, of the projected operating expenses of  
25 the mass transit system. The department shall make allocations as follows:

1           **SECTION 70.** 85.20 (4m) (a) 1. to 3. of the statutes are created to read:

2           85.20 (4m) (a) 1. From the appropriation under s. 20.395 (1) (bq), the uniform  
3 percentage for an urban mass transit system operating within an urban area having  
4 a population as shown in the 1990 federal decennial census of less than 50,000.

5           2. From the appropriation under s. 20.395 (1) (bs), the uniform percentage for  
6 an urban mass transit system operating within an urban area having a population  
7 as shown in the 1990 federal decennial census of at least 50,000 but not more than  
8 200,000 and meeting the federal definition of urbanized area for the purpose of  
9 federal mass transit aid.

10          3. From the appropriation under s. 20.395 (1) (bu), the uniform percentage for  
11 an urban mass transit system operating within an urban area having a population  
12 as shown in the 1990 federal decennial census of more than 200,000 and meeting the  
13 federal definition of urbanized area for the purpose of federal mass transit aid.

14          **SECTION 71.** 85.20 (4m) (am) of the statutes is repealed.

15          **SECTION 72.** 85.20 (4m) (e) of the statutes is repealed.

16          **SECTION 73.** 85.20 (4m) (em) 1. of the statutes is amended to read:

17          85.20 (4m) (em) 1. An amount equal to 42% the same percentage of the audited  
18 operating expenses for the project year of the applicant's urban mass transit system  
19 that is specified for allocations to the applicant under par. (a) 1. to 3.

20          **SECTION 74.** 85.20 (4s) of the statutes is amended to read:

21          85.20 (4s) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed  
22 between the department and eligible applicants under this section shall provide that  
23 the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the  
24 state's fiscal year shall be provided from the following fiscal year's appropriation  
25 under s. 20.395 (1) (bq), (bs) or (bu).

1           **SECTION 75.** 85.20 (7) of the statutes is created to read:

2           **85.20 (7) COST-EFFICIENCY STANDARDS.** (a) The department shall establish  
3 cost-efficiency standards for the urban mass transit system specified in sub. (4m) (a)  
4 1. to 3. The contracts executed between the department and eligible applicants  
5 under this section for any period beginning on or after January 1, 1997, shall provide  
6 that the department may do any of the following if costs are incurred by the eligible  
7 applicant's urban mass transit system which are inconsistent with the standards  
8 established under this subsection:

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

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

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

13           **SECTION 76.** 85.24 (3) (d) (intro.) of the statutes is amended to read:

14           **85.24 (3) (d) (intro.)** The department may award grants from the appropriation  
15 under s. 20.395 (1) ~~(bs)~~ (ds) to public and private organizations for the development  
16 and implementation of demand management and ride-sharing programs. As a  
17 condition of obtaining a grant under this paragraph, a public or private organization  
18 may be required to provide matching funds at any percentage. The department shall  
19 give priority in the awarding of grants to those programs that provide the greatest  
20 reduction in automobile trips, especially during peak hours of traffic congestion. The  
21 department shall have all powers necessary and convenient to implement this  
22 paragraph, including the following powers:

23           **SECTION 77.** 85.243 (title) of the statutes is amended to read:

24           **85.243 (title) Surface transportation discretionary grants projects**  
25 **program.**

1           **SECTION 78.** 85.243 (2) (a) of the statutes is amended to read:

2           85.243 (2) (a) The department shall administer a surface transportation  
3 ~~discretionary grants~~ projects program to promote the development and  
4 implementation of surface transportation projects that foster the diverse  
5 transportation needs of the people of this state. Annually, the department may make  
6 grants to eligible applicants and other state agencies for surface transportation  
7 projects that promote nonhighway use or that otherwise supplement existing  
8 transportation activities. A grant may not exceed 80% of the total cost of a project.

9           The department shall give priority to funding projects that foster alternatives to  
10 single-occupancy automobile trips. In deciding whether to award a grant under this  
11 section, the department may consider whether other funding sources are available  
12 for the proposed project.

13           **SECTION 79.** 85.243 (2) (b) 5. of the statutes is created to read:

14           85.243 (2) (b) 5. To conduct a project.

15           **SECTION 80.** 85.26 (2) (a) of the statutes is renumbered 85.26 (2) (a) (intro.) and  
16 amended to read:

17           85.26 (2) (a) (intro.) “Eligible applicant” means a an applicant that provides  
18 employment, training or job placement services in a county with a population of  
19 500,000 or more and which is one of the following:

20           1. A local public body or a private organization, which is located in the county.

21           **SECTION 81.** 85.26 (2) (a) 2. of the statutes is created to read:

22           85.26 (2) (a) 2. Two or more state agencies coordinating such services.

23           **SECTION 82.** 85.50 of the statutes is repealed.

24           **SECTION 83.** 86.30 (2) (a) 3. d. of the statutes is amended to read:

25           86.30 (2) (a) 3. d. In calendar year 1995 ~~and thereafter~~, \$1,350.

1           **SECTION 84.** 86.30 (2) (a) 3. c. of the statutes is repealed.

2           **SECTION 85.** 86.30 (2) (a) 3. e. of the statutes is created to read:

3           86.30 (2) (a) 3. e. In calendar year 1996, \$1,415.

4           **SECTION 86.** 86.30 (2) (a) 3. f. of the statutes is created to read:

5           86.30 (2) (a) 3. f. In calendar year 1997 and thereafter, \$1,480.

6           **SECTION 87.** 86.30 (9) of the statutes is amended to read:

7           86.30 (9) AIDS CALCULATIONS. (b) For the purpose of calculating and  
8 distributing aids under sub. (2), the amounts for aids to counties are ~~\$63,392,900 in~~  
9 ~~calendar year 1994 and \$66,588,900 in calendar year 1995, \$71,030,000 in calendar~~  
10 ~~year 1996 and \$75,917,700 in calendar year 1997~~ and thereafter. These amounts,  
11 to the extent practicable, shall be used to determine the statewide county average  
12 cost-sharing percentage in the particular calendar year.

13           (c) For the purpose of calculating and distributing aids under sub. (2), the  
14 amounts for aids to municipalities are ~~\$197,814,700 in calendar year 1994 and~~  
15 ~~\$209,496,900 in calendar year 1995, \$216,989,200 in calendar year 1996 and~~  
16 ~~\$224,657,100 in calendar year 1997~~ and thereafter. These amounts, to the extent  
17 practicable, shall be used to determine the statewide municipal average  
18 cost-sharing percentage in the particular calendar year.

19           **SECTION 88.** 86.31 (3m) of the statutes is amended to read:

20           86.31 (3m) TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395  
21 (2) (fr), the department shall allocate ~~\$500,000 in each fiscal year \$515,000 in fiscal~~  
22 ~~year 1995-96 and \$530,500 in fiscal year 1996-97 and thereafter~~ to fund town road  
23 improvements with eligible costs totaling \$100,000 or more. The funding of  
24 improvements under this subsection is in addition to the allocation of funds for  
25 entitlements under sub. (3).

1           **SECTION 89.** 86.315 (1) of the statutes is amended to read:

2           86.315 (1) From the appropriation under s. 20.395 (1) (fu), the department  
3 shall annually, on March 10, pay to counties having county forests established under  
4 ch. 28, for the improvement of public roads within the county forests which are open  
5 and used for travel and which are not state or county trunk highways or town roads  
6 and for which no aids are paid under s. 86.30, the amount of ~~\$200~~ \$600 per mile of  
7 road designated in the comprehensive county forest land use plan as approved by the  
8 county board and the department of natural resources. If the amount appropriated  
9 under s. 20.395 (1) (fu) is insufficient to make the ~~\$200~~ \$600 per mile payments under  
10 this subsection, the department shall prorate the amount appropriated in the  
11 manner it deems desirable.

12           **SECTION 90.** 86.32 (2) (am) 5. and 6. of the statutes are repealed.

13           **SECTION 91.** 86.32 (2) (am) 8. of the statutes is created to read:

14           86.32 (2) (am) 8. For 1996, \$10,782 per lane mile for municipalities having a  
15 population over 500,000; \$9,987 per lane mile for municipalities having a population  
16 of 150,001 to 500,000; \$8,900 per lane mile for municipalities having a population of  
17 35,001 to 150,000; \$7,840 per lane mile for municipalities having a population of  
18 10,000 to 35,000; and \$6,755 per lane mile for municipalities having a population  
19 under 10,000.

20           **SECTION 92.** 86.32 (2) (am) 9. of the statutes is created to read:

21           86.32 (2) (am) 9. For 1997, \$11,105 per lane mile for municipalities having a  
22 population over 500,000; \$10,287 per lane mile for municipalities having a  
23 population of 150,001 to 500,000; \$9,167 per lane mile for municipalities having a  
24 population of 35,001 to 150,000; \$8,075 per lane mile for municipalities having a

1 population of 10,000 to 35,000; and \$6,958 per lane mile for municipalities having  
2 a population under 10,000.

3 **SECTION 93.** 110.08 (2) of the statutes is amended to read:

4 110.08 (2) Except as provided under s. 343.16 (1) (b) and (c), all examinations  
5 for operator's licenses and permits shall be given by state examiners.

6 **SECTION 94.** 114.002 (4) of the statutes is repealed.

7 **SECTION 95.** 114.002 (11) of the statutes is amended to read:

8 114.002 (11) "Antique aircraft" means an aircraft ~~more than 35 years old as~~  
9 ~~determined by the~~ which has a date of manufacture of 1944 or earlier and which is  
10 used solely for recreational or display purposes.

11 **SECTION 96.** 114.002 (13) of the statutes is repealed.

12 **SECTION 97.** 114.20 (1) (title) of the statutes is amended to read:

13 114.20 (1) (title) ~~ANNUAL~~ REGISTRATION REQUIRED.

14 **SECTION 98.** 114.20 (1) (a) of the statutes is amended to read:

15 114.20 (1) (a) Except as provided under sub. (2), all aircraft based in this state  
16 shall be registered by the owner of the aircraft with the department annually on or  
17 before November 1 or, for aircraft with a maximum gross weight of not more than  
18 3,000 pounds that are not subject to sub. (10), biennially on or before the first  
19 November 1. Annual registration fees shall be determined in accordance with sub.  
20 (9) or (10). Biennial registration fees shall be determined in accordance with sub.  
21 (9m).

22 **SECTION 99.** 114.20 (1) (b) of the statutes is amended to read:

23 114.20 (1) (b) Aircraft determined by the department to be based in this state  
24 shall be subject to the annual or biennial registration fees under sub. (9) or (9m).

1 Aircraft which are determined to be not based in this state shall be exempt from the  
2 annual or biennial registration fees.

3 **SECTION 100.** 114.20 (2) (intro.) of the statutes is amended to read:

4 114.20 (2) (title) EXCEPTIONS TO ANNUAL REGISTRATION REQUIREMENTS. (intro.)  
5 The annual registration requirements under sub. (1) do not apply to aircraft based  
6 in this state that are:

7 **SECTION 101.** 114.20 (2) (c) of the statutes is repealed.

8 **SECTION 102.** 114.20 (5) of the statutes is amended to read:

9 114.20 (5) UNAIRWORTHY AIRCRAFT. Any person desiring to have an aircraft  
10 designated as an unairworthy aircraft may apply to the department in the manner  
11 the department prescribes. No application may be acted upon unless all information  
12 requested is supplied. Upon receipt of an application and a registration fee of \$5 to  
13 be established by rule and after determining from the facts submitted and  
14 investigation that the aircraft qualifies as an unairworthy aircraft, the department  
15 shall issue an unairworthy aircraft certificate. The certificate shall expire upon  
16 transfer of ownership or restoration. An aircraft is presumed restored if it is capable  
17 of operation. The annual registration fee is due on the date of restoration. Operation  
18 of the aircraft is conclusive evidence of restoration. An ~~additional administrative fee~~  
19 ~~of \$5~~ A late payment charge to be established by rule shall be charged assessed on  
20 all applications filed later than 30 days after the date of restoration.

21 **SECTION 103.** 114.20 (5) of the statutes, as affected by 1995 Wisconsin Act ...  
22 (this act), is repealed and recreated to read:

23 114.20 (5) UNAIRWORTHY AIRCRAFT. Any person desiring to have an aircraft  
24 designated as an unairworthy aircraft may apply to the department in the manner  
25 the department prescribes. No application may be acted upon unless all information

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1 requested is supplied. Upon receipt of an application and a registration fee to be  
 2 established by rule and after determining from the facts submitted and investigation  
 3 that the aircraft qualifies as an unairworthy aircraft, the department shall issue an  
 4 unairworthy aircraft certificate. The certificate shall expire upon transfer of  
 5 ownership or restoration. An aircraft is presumed restored if it is capable of  
 6 operation. The annual or biennial registration fee is due on the date of restoration.  
 7 Operation of the aircraft is conclusive evidence of restoration. A late payment charge  
 8 to be established by rule shall be assessed on all applications filed later than 30 days  
 9 after the date of restoration.

10 **SECTION 104.** 114.20 (7) of the statutes is repealed.

11 **SECTION 105.** 114.20 (9) (a) to (c) of the statutes are renumbered 114.20 (9m)

12 (a) to (c) and amended to read:

13	114.20 (9m) (a) Not more than	2,000	.....	<del>\$ 30</del> <u>\$ 60</u>
14	(b) Not more than	2,500	.....	<del>39</del> <u>78</u>
15	(c) Not more than	3,000	.....	<del>50</del> <u>100</u>

16 **SECTION 106.** 114.20 (9) (d) of the statutes is amended to read:

17	114.20 (9) (d) Not more than	3,500	.....	<del>70</del> <u>\$ 70</u>
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18 **SECTION 107.** 114.20 (9m) (intro.) of the statutes is created to read:

19 114.20 (9m) BIENNIAL REGISTRATION FEES. (intro.) Except as provided in sub.  
 20 (10), the owner of an aircraft subject to the biennial registration requirements under  
 21 sub. (1) shall pay a biennial registration fee established in accordance with the  
 22 following gross weight schedule:

23	[Maximum gross		[Annual
24	Weight in pounds]		fee]

25 **SECTION 108.** 114.20 (12) of the statutes is amended to read:

1           114.20 (12) (title) INITIAL ANNUAL REGISTRATION. For new aircraft, aircraft not  
2 previously registered in this state or unregistered aircraft for which annual  
3 registration is required under sub. (9), the fee for the initial year of registration shall  
4 be computed from the date of purchase, restoration, completed construction or entry  
5 of the aircraft into this state on the basis of one-twelfth of the registration fee  
6 specified in sub. (9) multiplied by the remaining number of months in the current  
7 registration year which are not fully expired. For new aircraft, aircraft not  
8 previously registered in this state or unregistered aircraft for which biennial  
9 registration is required under sub. (9m), the fee for the initial 2-year period of  
10 registration shall be computed from the date of purchase, restoration, completed  
11 construction or entry of the aircraft into this state on the basis of one twenty-fourth  
12 of the registration fee specified in sub. (9m) multiplied by the remaining number of  
13 months in the current 2-year registration period which are not fully expired.  
14 Application for registration shall be filed within 30 days from the date of purchase,  
15 restoration, completed construction or entry of the aircraft into this state and if filed  
16 after that date an additional administrative fee of \$5 shall be charged. If the date  
17 of purchase, restoration, completed construction or entry into this state is not  
18 provided by the applicant, the full annual or biennial registration fee provided in sub.  
19 (9) or (9m) shall be charged for registering the aircraft.

20           **SECTION 109.** 114.20 (13) (b) 1. of the statutes is amended to read:

21           114.20 (13) (b) 1. If an annual registration fee is not paid by November 1, from  
22 November 2 to April 30, the department shall add a late payment charge of \$50 or  
23 10% of the amount specified for the registration under sub. (9) or (10), whichever is  
24 greater, to the fee.

1           **SECTION 110.** 114.20 (13) (b) 1. of the statutes, as affected by 1995 Wisconsin  
2 Act .... (this act), is repealed and recreated to read:

3           114.20 **(13)** (b) 1. If an annual or biennial registration fee is not paid by  
4 November 1, from November 2 to the following April 30, the department shall add  
5 a late payment charge of \$50 or 10% of the amount specified for the registration  
6 under sub. (9), (9m) or (10), whichever is greater, to the fee.

7           **SECTION 111.** 114.20 (13) (b) 2. of the statutes is amended to read:

8           114.20 **(13)** (b) 2. If an annual registration fee is not paid by April 30, from May  
9 1 to October 31, the department shall add a late payment charge of \$50 or 20% of the  
10 amount specified for the registration under sub. (9) or (10), whichever is greater, to  
11 the fee.

12           **SECTION 112.** 114.20 (13) (b) 2. of the statutes, as affected by 1995 Wisconsin  
13 Act .... (this act), is repealed and recreated to read:

14           114.20 **(13)** (b) 2. If an annual or biennial registration fee is not paid by the  
15 following April 30, from May 1 to October 31 or, for a biennial registration, the end  
16 of the biennial period, the department shall add a late payment charge of \$50 or 20%  
17 of the amount specified for the registration under sub. (9), (9m) or (10), whichever  
18 is greater, to the fee.

19           **SECTION 113.** 114.20 (13) (b) 3. of the statutes is repealed.

20           **SECTION 114.** 114.20 (13) (b) 5. of the statutes is amended to read:

21           114.20 **(13)** (b) 5. This paragraph applies after October 31, ~~1989~~ 1995.

22           **SECTION 115.** 114.20 (15) (b) of the statutes is amended to read:

23           114.20 **(15)** (b) The lien against the aircraft for the original registration fee  
24 shall attach at the time the fee is first payable, and the lien for all renewals of annual  
25 registration shall attach on November 1 of each year thereafter and the lien for all

1 renewals of biennial registration shall attach on the first November of the  
2 registration period and every 2 years thereafter.

3 **SECTION 116.** 121.555 (2) (c) 1. of the statutes is amended to read:

4 121.555 (2) (c) 1. Shall possess a valid Wisconsin operator's license or a valid  
5 operator's license issued by another jurisdiction, as defined in s. 340.01 (41m), or a  
6 valid commercial driver license issued by Mexico.

7 **SECTION 117.** 144.442 (9) (b) 3. of the statutes is created to read:

8 144.442 (9) (b) 3. This subsection does not apply to the release or discharge of  
9 high-volume industrial waste used in a highway improvement project under s.  
10 84.078.

11 **SECTION 118.** 144.449 (1) (c) of the statutes is amended to read:

12 144.449 (1) (c) "Waste tire" has the meaning given under s. 84.078 (1) (b) means  
13 a tire that is no longer suitable for its original purpose because of wear, damage or  
14 defect.

15 **SECTION 119.** 144.76 (9) (f) of the statutes is created to read:

16 144.76 (9) (f) Any person discharging high-volume industrial waste used in a  
17 highway improvement project under s. 84.078 is exempted from the penalty  
18 requirements of this section.

19 **SECTION 120.** 159.07 (3) (j) of the statutes is amended to read:

20 159.07 (3) (j) A waste tire, as defined in s. 84.078 (1) (b) 144.449 (1) (c).

21 **SECTION 121.** 159.17 (1) (d) of the statutes is amended to read:

22 159.17 (1) (d) "Waste tire" has the meaning given under s. 84.078 (1) (b) 144.449  
23 (1) (c).

24 **SECTION 122.** 166.20 (7g) of the statutes is repealed.

25 **SECTION 123.** 168.12 (5m) of the statutes is created to read:



1 STEPS ON OR BEFORE THE DATE THAT THE PROPOSED TERMINATION OR  
2 NONRENEWAL TAKES EFFECT. FOR FURTHER INFORMATION, CONSULT  
3 YOUR ATTORNEY OR CALL THE DEALER SECTION, WISCONSIN  
4 DEPARTMENT OF TRANSPORTATION, AT .... (insert area code and telephone  
5 number).

6 **SECTION 126.** 218.01 (2c) (c) of the statutes is amended to read:

7 218.01 (2c) (c) The ownership, operation or control of a dealership by a  
8 manufacturer, importer or distributor, or subsidiary thereof, which does not meet the  
9 conditions under par. (a) or (b), if the ~~office of the commissioner of transportation~~  
10 division of hearings and appeals determines, after a hearing on the matter at the  
11 request of any party, that there is no prospective independent dealer available to own  
12 and operate the dealership in a manner consistent with the public interest and that  
13 meets the reasonable standard and uniformly applied qualifications of the  
14 manufacturer, importer or distributor.

15 **SECTION 127.** 218.01 (3) (a) 24. of the statutes is amended to read:

16 218.01 (3) (a) 24. Being a manufacturer, importer or distributor who fails to  
17 comply with the procedures in sub. (3x) regarding a dealer's request for approval of  
18 a change of ownership or executive management, transfer of its dealership assets to  
19 another person, adding another franchise at the same location as its existing  
20 franchise, or relocation of a franchise or who fails to comply with an order of the ~~office~~  
21 of the commissioner of transportation division of hearings and appeals issued under  
22 sub. (3x).

23 **SECTION 128.** 218.01 (3x) (b) 2. of the statutes is amended to read:

24 218.01 (3x) (b) 2. An affected grantor who does not approve of the proposed  
25 action shall, within 30 days after receiving the dealer's written notice of the proposed

1 action or within 30 days after receiving all the information specified in a written list  
2 served on the dealer under subd. 1., whichever is later, file with the department and  
3 serve upon the dealer a written statement of the reasons for its disapproval. The  
4 reasons given for the disapproval or any explanation of those reasons by the  
5 manufacturer, distributor or importer shall not subject the manufacturer,  
6 distributor or importer to any civil liability unless the reasons given or explanations  
7 made are malicious and published with the sole intent to cause harm to the dealer  
8 or a transferee of the dealer. Failure to file and serve a statement within the  
9 applicable period shall, notwithstanding the terms of any agreement, constitute  
10 approval of the proposed action by the grantor. If an affected grantor files a written  
11 statement within the applicable period, the dealer may not voluntarily undertake  
12 the proposed action unless it receives an order permitting it to do so from the office  
13 of the commissioner of transportation division of hearings and appeals under par. (c)  
14 2.

15 **SECTION 129.** 218.01 (3x) (b) 3. of the statutes is amended to read:

16 218.01 (3x) (b) 3. A dealer who is served with a written statement by an affected  
17 grantor under subd. 2 may file with the department and the office of the  
18 commissioner of transportation division of hearings and appeals and serve upon the  
19 affected grantor a complaint for the determination of whether there is good cause for  
20 permitting the proposed action to be undertaken. The office of the commissioner of  
21 transportation division of hearings and appeals shall promptly schedule a hearing  
22 and decide the matter. The proposed action may not be undertaken pending the  
23 determination of the matter.

24 **SECTION 130.** 218.01 (3x) (c) 2. of the statutes is amended to read:

**SECTION 130**

1           218.01 **(3x)** (c) 2. The decision of the ~~office of the commissioner of~~  
2 ~~transportation~~ division of hearings and appeals shall be in writing and shall contain  
3 findings of fact and a determination of whether there is good cause for permitting the  
4 proposed action to be undertaken. The decision shall include an order that the dealer  
5 be allowed or is not allowed to undertake the proposed action, as the case may be.  
6 The order may require fulfillment of appropriate conditions before and after the  
7 proposed action is undertaken.

8           **SECTION 131.** 218.01 (3x) (c) 1. (intro.) of the statutes is amended to read:

9           218.01 **(3x)** (c) 1. (intro.) In determining if there is good cause for permitting  
10 a proposed action to be undertaken, the ~~office of the commissioner of transportation~~  
11 division of hearings and appeals may consider any relevant factor including:

12           **SECTION 132.** 218.01 (7m) (a) of the statutes is amended to read:

13           218.01 **(7m)** (a) A licensee may not file a complaint or petition with the ~~office~~  
14 ~~of the commissioner of transportation~~ division of hearings and appeals or bring an  
15 action under sub. (9) (a), based on an alleged violation of this section by any other  
16 licensee or pursuant to sub. (3) (f) or (fm), (3c) or (3x), unless the licensee serves a  
17 demand for mediation upon the other licensee before or contemporaneous with the  
18 filing of the complaint or petition or the bringing of the action. A demand for  
19 mediation shall be in writing and served upon the other licensee by certified mail at  
20 an address designated for that licensee in the licensor's records. The demand for  
21 mediation shall contain a brief statement of the dispute and the relief sought by the  
22 licensee filing the demand.

23           **SECTION 133.** 218.01 (7m) (c) of the statutes is amended to read:

24           218.01 **(7m)** (c) The service of a demand for mediation under par. (a) shall stay  
25 the time for the filing of any complaint or petition with the ~~office of the commissioner~~

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

15 **SECTION 134.** 340.01 (7m) of the statutes is amended to read:

16 340.01 (7m) “Commercial driver license” means a license issued to a person by  
17 this state or another jurisdiction which is in accordance with the requirements of the  
18 federal commercial motor vehicle safety act of 1986, 49 USC ~~2701 to 2716~~ 31301 to  
19 31317, and which authorizes the licensee to operate certain commercial motor  
20 vehicles.

21 **SECTION 135.** 340.01 (7r) of the statutes is amended to read:

22 340.01 (7r) “Commercial driver license information system” means the  
23 information system established pursuant to the federal commercial motor vehicle  
24 safety act of 1986, 49 USC ~~2701 to 2716~~ 31301 to 31317, to serve as a clearinghouse

1 for information related to the licensing and identification of commercial motor  
2 vehicle drivers.

3 **SECTION 136.** 341.08 (2) (am) of the statutes is created to read:

4 341.08 (2) (am) If the applicant is a natural person registering a farm truck  
5 under s. 341.26 (3) (a) 1., the applicant's social security number.

6 **SECTION 137.** 341.08 (2) (cm) of the statutes is created to read:

7 341.08 (2) (cm) If the applicant is registering a farm truck under s. 341.26 (3)  
8 (a) 1., certification that the applicant had at least \$6,000 in gross farm profits, as  
9 defined in s. 71.58 (4), in at least one of the 2 previous taxable years, or that the  
10 applicant expects to have at least \$6,000 in gross farm profits, as defined in s. 71.58  
11 (4), in the current taxable year.

12 **SECTION 138.** 341.08 (4) of the statutes is amended to read:

13 341.08 (4) Applications for renewal of registration shall contain the  
14 information required in sub. (2) for original applications or such parts thereof as the  
15 department deems necessary to assure the proper registration of the vehicle, except  
16 that all applications for renewal of registration of farm trucks under s. 341.26 (3) (a)  
17 1. shall contain the information specified in sub. (2) (am) and (cm). The department  
18 may require that applications for renewal of registration be accompanied by the  
19 certificate of title issued for the vehicle only when the true ownership or proper  
20 registration of the vehicle is in doubt and cannot be resolved from records maintained  
21 by the department.

22 **SECTION 139.** 341.08 (8) of the statutes is created to read:

23 341.08 (8) The department may not disclose a social security number obtained  
24 from an applicant under sub. (2) (am) to any person except to the department of

1 revenue for the sole purpose of determining the applicant's eligibility to register the  
2 farm truck under s. 341.26 (3) (a) 1.

3 **SECTION 140.** 341.14 (6r) (b) 2. of the statutes is amended to read:

4 341.14 **(6r)** (b) 2. An additional fee of ~~\$10~~ \$15 shall be charged for the issuance  
5 or reissuance of the plates for special groups specified under par. (f) ~~1. to 34., 48., 49.~~  
6 ~~and 51.~~

7 **SECTION 141.** 341.14 (6r) (b) 3. of the statutes is repealed.

8 **SECTION 142.** 341.14 (6r) (b) 4. of the statutes is amended to read:

9 341.14 **(6r)** (b) 4. An additional fee of \$20 that is in addition to the fee under  
10 subd. 2. ~~or 3~~ shall be charged for the issuance or renewal of a plate issued on an  
11 annual basis for a special group specified under par. (f) ~~35. to 47.~~ An additional fee  
12 of \$40 that is in addition to the fee under subd. 2. ~~or 3.~~ shall be charged for the  
13 issuance or renewal of a plate issued on a biennial basis for a special group specified  
14 under par. (f) ~~35. to 47~~ if the plate is issued or renewed during the first year of the  
15 biennial registration period or \$20 for the issuance or renewal if the plate is issued  
16 or renewed during the 2nd year of the biennial registration period. The fee under  
17 this subdivision is deductible as a charitable contribution for purposes of the taxes  
18 under ch. 71.

19 **SECTION 143.** 341.21 of the statutes is created to read:

20 **341.21 Registration and title transactions by dealers.** The department  
21 may contract with a motor vehicle dealer for services relating to the processing or  
22 distribution of original or renewal registrations under this chapter or certificates of  
23 title under ch. 342. The department may not compensate a motor vehicle dealer for  
24 services provided under this section. A contract with a motor vehicle dealer shall  
25 contain the following provisions:

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

4           (2) Within 7 business days after the completion of an application, the motor  
5 vehicle dealer shall process the application and submit any required fees and other  
6 documentation to the department.

7           (3) The motor vehicle dealer shall retain all records related to an application  
8 for original or renewal registration or a certificate of title for at least 5 years.

9           (4) The department or its representative may, without any prior notice, conduct  
10 random inspections and audits of the motor vehicle dealer.

11           **SECTION 144.** 341.26 (3) (a) 1. of the statutes is amended to read:

12           341.26 (3) (a) 1. For each farm truck having a gross weight of 12,000 pounds  
13 or less, a biennial fee of \$42. ~~Registration plates issued under this subdivision expire~~  
14 ~~on the last day of February of even-numbered years.~~

15           **SECTION 145.** 341.297 (2) of the statutes is renumbered 341.297 (2) (a) and  
16 amended to read:

17           341.297 (2) (a) A farm truck having a gross weight of 12,000 pounds or less, as  
18 specified in s. 341.26 (3) (a) 1. ~~The registration period for such a farm truck begins~~  
19 ~~on March 1 of an even-numbered year and ends on the last day of February of the~~  
20 ~~next even-numbered year~~ All such farm trucks shall be registered by the department  
21 according to the monthly series of registration prescribed by par. (b).

22           **SECTION 146.** 341.297 (2) (b) of the statutes is created to read:

23           341.297 (2) (b) There are established 24 registration periods, each to be  
24 designated by a calendar month and to start on the first day of such month and end  
25 on the last day of the 24th month from the date of commencing. The department shall

1 so administer the monthly series system of registration as to distribute the work of  
2 registering farm trucks as uniformly as practicable throughout the calendar year.

3 **SECTION 147.** 341.43 of the statutes is amended to read:

4 **341.43 Audits.** The department may conduct such audits as it deems  
5 necessary to determine the adequacy of fees paid under the international  
6 registration plan or other proportional registration law or agreement and taxes and  
7 fees paid under s. 341.45. Audits shall be conducted during normal business hours.  
8 Credits shall be given for overpayments and deficiencies shall be assessed, with  
9 interest. Actual and necessary expenses incurred by an auditor, plus wages, may be  
10 assessed against the person audited.

11 **SECTION 148.** 341.45 (title) of the statutes is amended to read:

12 **341.45 (title) Importation in vehicle tanks regulated; taxes; fees;**  
13 **permits.**

14 **SECTION 149.** 341.45 (1g) (a) of the statutes is amended to read:

15 341.45 (1g) (a) ~~Every~~ Except as provided in subs. (3) and (4g), every person who  
16 purchases or obtains motor vehicle fuel or an alternate fuel outside of this state and  
17 operates any qualified motor vehicle into this state upon a highway and transports  
18 that fuel in an attached or unattached fuel supply tank for the sole purpose of  
19 operating the qualified motor vehicle shall pay the Wisconsin motor vehicle fuel or  
20 alternate fuels tax and the oil inspection fee under s. 168.12 on the gallons consumed  
21 by the qualified motor vehicle while operated on the highways of this state. The  
22 person shall pay the tax and fee by purchasing motor vehicle fuel or alternate fuels  
23 within this state in an amount that is equivalent to the gallonage consumed while  
24 operating the qualified motor vehicle on the highways of this state, or by remitting

1 the tax and fee directly to the department or to another jurisdiction that is a party  
2 to the international fuel tax agreement.

3 **SECTION 150.** 341.45 (1g) (b) of the statutes is amended to read:

4 341.45 (1g) (b) The department may require any person required to pay under  
5 par. (a) to report on forms prescribed by it, to display evidence of compliance with par.  
6 (a) and to pay taxes and fees in the manner specified by the department.

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

10 **SECTION 151.** 341.45 (2) of the statutes is amended to read:

11 341.45 (2) Every person regularly or habitually operating qualified motor  
12 vehicles upon the highways of any other state and using in those qualified motor  
13 vehicles motor vehicle fuel or an alternate fuel purchased or obtained in this state  
14 shall be allowed a credit or refund equal to the oil inspection fee and the tax on the  
15 motor vehicle fuel or alternate fuel actually paid to the state in which it is used, but  
16 not to exceed the tax and fee imposed on motor vehicle fuel or alternate fuels by this  
17 state.

18 **SECTION 152.** 341.45 (3) of the statutes is amended to read:

19 341.45 (3) The department may enter into reciprocal agreements with the  
20 appropriate officials of any other state under which it may waive all or any part of  
21 the requirements imposed by this section upon those who use motor vehicle fuel or  
22 alternate fuels upon which the tax has and fee have been paid to another state if the  
23 officials of the other state grant equivalent privileges with respect to motor vehicle  
24 fuel or alternate fuels used in that state but upon which the tax has and fee have been  
25 paid to Wisconsin.

1           **SECTION 153.** 341.45 (4g) of the statutes is created to read:

2           341.45 (4g) The department may issue trip permits for 72-hour periods to  
3 persons who would otherwise be required to pay the Wisconsin motor vehicle fuel or  
4 alternate fuels tax and the petroleum product inspection fee under sub. (1g). The  
5 department shall charge a fee of not less than \$15 for each permit issued under this  
6 subsection. A person who has obtained a permit under this subsection is exempt  
7 from the purchasing requirement of sub. (1g) (a).

8           **SECTION 154.** 341.45 (4m) of the statutes is created to read:

9           341.45 (4m) All oil inspection fees paid to the department of transportation  
10 under sub. (1g) (a) in excess of oil inspection fee credits or refunds under sub. (2) shall  
11 be deposited in the petroleum inspection fund. All oil inspection fees credited or  
12 refunded by the department of transportation under sub. (2) in excess of oil  
13 inspection fees paid to the department of transportation under sub. (1g) (a) shall be  
14 paid from the petroleum inspection fund.

15           **SECTION 155.** 341.45 (5) of the statutes is amended to read:

16           341.45 (5) The department shall promulgate rules under ch. 227 necessary to  
17 administer this section. The rules shall include provisions relating to the issuance  
18 and use of the permits authorized under sub. (4g). The rules may include provisions  
19 relating to the payment of interest on late payments of motor vehicle fuel and  
20 alternate fuels taxes and oil inspection fees, and fees for the late payment or  
21 underpayment of motor vehicle fuel and alternate fuels taxes and oil inspection fees.

22           **SECTION 156.** 343.01 (2) (cb) of the statutes is created to read:

23           343.01 (2) (cb) “Motorized construction equipment” means motor-driven  
24 construction equipment designed principally for off-road use, including a

1 motorscraper, backhoe, motorgrader, compacter, excavator, tractor, trencher and  
2 bulldozer.

3 **SECTION 157.** 343.01 (2) (d) of the statutes is created to read:

4 343.01 (2) (d) "Photograph" means an unretouched image recorded by a camera  
5 and reproduced on a photosensitive surface and includes a digitized image.

6 **SECTION 158.** 343.02 (1) of the statutes is amended to read:

7 343.02 (1) The department shall administer and enforce this chapter and may  
8 promulgate for that purpose such rules as the secretary considers necessary. Rules  
9 promulgated under this chapter may not conflict with and shall be at least as  
10 stringent as standards set by the federal commercial motor vehicle safety act, 49  
11 USC ~~2701 to 2716~~ 31301 to 31317 and the regulations adopted under that act.

12 **SECTION 159.** 343.03 (1) (title) of the statutes is repealed and recreated to read:

13 343.03 (1) (title) COMPLIANCE WITH FEDERAL STANDARDS.

14 **SECTION 160.** 343.03 (1) (a) of the statutes is amended to read:

15 343.03 (1) (a) The department shall institute a classified driver license system  
16 meeting all federal standards under 49 USC ~~2701 to 2716~~ 31301 to 31317 and 49 CFR  
17 383.

18 **SECTION 161.** 343.03 (1) (b) of the statutes is amended to read:

19 343.03 (1) (b) The department shall ~~begin issuance of~~ issue operator's licenses  
20 in conformity with the classified driver license system to each licensee upon renewal,  
21 reinstatement or initial application ~~by April 1, 1991.~~

22 **SECTION 162.** 343.03 (1) (c) of the statutes is repealed.

23 **SECTION 163.** 343.03 (5) of the statutes is amended to read:

24 343.03 (5) INQUIRIES BEFORE ISSUANCE. Before issuing a license under this  
25 chapter, the department shall obtain driver record information from the national

1 driver registry and commercial driver license information system to determine  
2 whether the applicant holds a commercial driver license, or a license that is revoked,  
3 suspended or canceled, or is otherwise disqualified. If the applicant is currently  
4 licensed in another state, the department shall obtain information on the applicant's  
5 license status with the state of licensure before issuing a license.

6 **SECTION 164.** 343.03 (8) of the statutes is repealed.

7 **SECTION 165.** 343.05 (2) (a) 2. of the statutes is amended to read:

8 343.05 (2) (a) 2. A nonresident who has in his or her immediate possession a  
9 valid commercial driver license issued to the person in ~~his or her home~~ another  
10 jurisdiction or Mexico bearing all endorsements required for the specific class and  
11 type of vehicle being operated. A license is not valid under this subdivision if the  
12 license is restricted to operation inside the person's home jurisdiction, or if the person  
13 is otherwise violating restrictions or exceeding operating authorization stated on the  
14 person's license. If the nonresident is operating a commercial motor vehicle in  
15 interstate commerce, he or she must be at least 21 years of age.

16 **SECTION 166.** 343.05 (2) (c) of the statutes is amended to read:

17 343.05 (2) (c) A tow truck operator holding a valid commercial driver license  
18 who is engaged in the removal of a disabled or wrecked vehicle from the highway or  
19 eliminating a hazard is not required to hold an endorsement to his or her commercial  
20 driver license regardless of the type of vehicle being towed. This exception to the  
21 requirement for an endorsement does not apply to any subsequent towing of the  
22 vehicle, including moving the vehicle from one repair facility to another, unless ~~the~~  
23 one of the following applies:

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

1           **SECTION 167.** 343.05 (2) (c) 2. of the statutes is created to read:

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

4           **SECTION 168.** 343.05 (4) (a) 3. of the statutes is renumbered 343.05 (2) (a) 5. and  
5 amended to read:

6           343.05 (2) (a) 5. A person temporarily operating motorized construction  
7 equipment designed principally for off-road use, including a motorscraper, backhoe,  
8 motorgrader, compacter, excavator, tractor, trencher and bulldozer upon a highway  
9 in this state who possesses a valid operator’s license issued to the person by the  
10 department which is not revoked, suspended, canceled, disqualified or expired. This  
11 subdivision does not apply to a truck or a construction vehicle designed or equipped  
12 for use on a highway or to any vehicle exceeding a speed of 35 miles per hour.

13           **SECTION 169.** 343.055 (5) of the statutes is amended to read:

14           343.055 (5) RULES. As soon as possible after the federal commercial motor  
15 vehicle safety act, 49 USC 2701 to 2716 31301 to 31317, or the regulations adopted  
16 under that act permit any commercial driver license waiver, the department shall  
17 promulgate rules governing eligibility for the waiver. This subsection applies to  
18 waivers not permitted by federal law on May 12, 1992.

19           **SECTION 170.** 343.06 (1) (c) of the statutes is amended to read:

20           343.06 (1) (c) To any person under age 18 unless the person is enrolled in a  
21 school program or high school equivalency program and is not a habitual truant as  
22 defined in s. 118.16 (1) (a), has graduated from high school or been granted a  
23 declaration of high school graduation equivalency or is enrolled in a home-based  
24 private educational program, as defined in s. 115.001 (3g), and has satisfactorily  
25 completed a course in driver education in public schools approved by the department

1 of public instruction, or in technical colleges approved by the technical college system  
2 board, or in nonpublic and private schools which meet the minimum standards set  
3 by the department of public instruction, or has satisfactorily completed a  
4 substantially equivalent course in driver training approved by the department and  
5 given by a school licensed by the department under s. 343.61, or has satisfactorily  
6 completed a substantially equivalent course in driver education or training approved  
7 by another state and has attained the age of 16, except as provided in s. 343.07 (1).  
8 The department shall not issue a license to any person under the age of 18  
9 authorizing the operation of "Class M" vehicles unless the person has successfully  
10 completed a basic rider course approved by the department. The department may,  
11 by rule, exempt certain persons from the basic rider course requirement of this  
12 paragraph. Applicants for a license under s. 343.08 or 343.135 are exempt from the  
13 driver education, basic rider or driver training course requirement. The secretary  
14 shall prescribe rules for licensing of schools and instructors to qualify under this  
15 paragraph. The driver education course shall be made available to every eligible  
16 student in the state. Except as provided under s. 343.16 (1) (c) and (2) (cm) to (e), no  
17 operator's license may be issued unless a driver's examination has been  
18 administered by the department.

19 **SECTION 171.** 343.06 (2) of the statutes is amended to read:

20 343.06 (2) ~~After March 31, 1992, the~~ The department shall not issue a  
21 commercial driver license, including a renewal, occupational or reinstated license,  
22 to any person during any period of disqualification under s. 343.315 or 49 CFR 383.51  
23 or the law of another jurisdiction in substantial conformity therewith, as the result  
24 of one or more disqualifying offenses committed on or after July 1, 1987. ~~Beginning~~  
25 ~~on April 1, 1992, the department shall cancel any commercial driver license~~ Any

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1 ~~person who is known to the department to have been issued to a person who is~~  
2 ~~disqualified be subject to disqualification under s. 343.315 (1) (a) shall be disqualified~~  
3 ~~by the department, unless the required period of disqualification specified in s.~~  
4 ~~343.315 for the disqualifying offense has already expired.~~

5 **SECTION 172.** 343.065 (title) of the statutes is amended to read:

6 **343.065** (title) ~~Intrastate restricted~~ **Restricted commercial driver**  
7 **license.**

8 **SECTION 173.** 343.065 (1) of the statutes is amended to read:

9 343.065 (1) If an applicant for a commercial driver license is less than 21 years  
10 of age or does not meet the physical qualifications for drivers contained in 49 CFR  
11 391 or an alternative federally approved driver qualification program established by  
12 the department by rule but is at least 18 years of age and otherwise qualified under  
13 this chapter and the rules of the department, the department may issue the  
14 applicant a commercial driver license restricted to authorizing the operation of  
15 commercial motor vehicles ~~only within this state and not in interstate commerce.~~

16 **SECTION 174.** 343.065 (2) of the statutes is amended to read:

17 343.065 (2) A commercial driver license issued under this section shall clearly  
18 identify that the license does not authorize the operation of commercial motor  
19 vehicles ~~outside this state or in interstate commerce.~~

20 **SECTION 175.** 343.10 (2) (a) 1. of the statutes is amended to read:

21 343.10 (2) (a) 1. Except for a revocation or suspension that arose out of the same  
22 incident or occurrence for which the person's license or operating privilege is  
23 currently revoked or suspended, the person's license or operating privilege was not  
24 revoked or suspended previously under this chapter or ch. 344 or s. 161.50 within the  
25 one-year period immediately preceding the present revocation or suspension.

1           **SECTION 176.** 343.10 (10) (a) of the statutes is amended to read:

2           343.10 (10) (a) If the petitioner's commercial driver license has been suspended  
3 or revoked solely for a violation of s. 346.63 (1) or a local ordinance in conformity  
4 therewith or a law of a federally recognized American Indian tribe or band in this  
5 state in conformity with s. 346.63 (1) and the person was not operating a commercial  
6 motor vehicle at the time of the violation, a petition seeking issuance of an  
7 occupational license authorizing operation of "Class A", "Class B" or "Class C"  
8 vehicles may be filed directly with the department. The petition may also seek  
9 authorization to operate "Class D" or "Class M" vehicles.

10           **SECTION 177.** 343.12 (2) (h) of the statutes is amended to read:

11           343.12 (2) (h) Prior to the initial issuance or renewal of the endorsement, takes  
12 and passes a special examination prescribed by the department and administered  
13 by the department or by a 3rd-party tester under s. 343.16 (1) (b) to determine his  
14 or her ability to safely operate a school bus. This special examination may include  
15 the examination required under sub. (3). The department may renew the  
16 endorsement without retesting the licensee, except under sub. (3).

17           **SECTION 178.** 343.14 (3) of the statutes is renumbered 343.14 (3) (a).

18           **SECTION 179.** 343.14 (3) (b) and (c) of the statutes are created to read:

19           343.14 (3) (b) Any photograph taken of an applicant under par. (a) or s. 343.50  
20 (4) may be maintained by the department and shall be kept confidential. The  
21 department may release a photograph only to the following persons:

- 22           1. The person whose photograph was taken.
- 23           2. Any person authorized in writing by the person whose photograph was  
24 taken.

1           3. A law enforcement agency, a state agency or a federal governmental agency  
2 to perform a legally authorized function.

3           (c) Any person who has received a photograph under par. (b) shall keep the  
4 photograph confidential and may not disclose or reproduce it except as authorized.  
5 This paragraph does not apply to the person whose photograph was taken.

6           **SECTION 180.** 343.14 (4) of the statutes is repealed.

7           **SECTION 181.** 343.16 (1) (a) of the statutes is amended to read:

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

1 applicant's commercial driver license for transporting hazardous materials, or the  
2 operation of tank vehicles or vehicles towing double or triple trailers, as described  
3 in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In  
4 administering the knowledge test, the department shall attempt to accommodate  
5 any special needs of the applicant. The Except as may be required by the department  
6 for an "H" or "S" endorsement, the knowledge test is not intended to be a test for  
7 literacy or English language proficiency. This paragraph does not prohibit the  
8 department from requiring an applicant to correctly read and understand highway  
9 signs.

10 **SECTION 182.** 343.17 (3) (e) 1. of the statutes is amended to read:

11 343.17 (3) (e) 1. "K" restriction, which restricts a person issued a license under  
12 s. 343.065 to from operating commercial motor vehicles ~~only within this state and not~~  
13 in interstate commerce.

14 **SECTION 183.** 343.21 (1) (g) of the statutes is amended to read:

15 343.21 (1) (g) For removing a "K" restriction against operation of commercial  
16 motor vehicles ~~outside this state or~~ in interstate commerce, the same fee as for a  
17 duplicate license.

18 **SECTION 184.** 343.21 (1) (jm) of the statutes is created to read:

19 343.21 (1) (jm) For reinstatement of a previously disqualified authorization to  
20 operate a commercial motor vehicle, \$50. This fee is not applicable to  
21 disqualifications under s. 343.315 (2) (g).

22 **SECTION 185.** 343.21 (1) (m) of the statutes is created to read:

23 343.21 (1) (m) For reinstatement of a previously canceled license or  
24 endorsement, \$50. This fee includes reinstatement of any classification or  
25 endorsement applied for at the same time for which the applicant is qualified.

1           **SECTION 186.** 343.23 (2) of the statutes is amended to read:

2           343.23 (2) The department shall maintain a file for each licensee containing the  
3 application for license, permit or endorsement, a record of reports or abstract of  
4 convictions, the status of the licensee's authorization to operate different vehicle  
5 groups, a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9)  
6 (am) and a record of any reportable accident in which the licensee has been involved,  
7 including specification of the type of license and endorsements issued under this  
8 chapter under which the licensee was operating at the time of the accident and an  
9 indication whether or not the accident occurred in the course of the licensee's  
10 employment as a law enforcement officer, fire fighter or emergency medical  
11 technician — paramedic or as a person engaged, by an authority in charge of the  
12 maintenance of the highway, in highway winter maintenance snow and ice removal  
13 during either a storm or cleanup following a storm. This information must be filed  
14 by the department so that the complete operator's record is available for the use of  
15 the secretary in determining whether operating privileges of such person shall be  
16 suspended, revoked, canceled or withheld in the interest of public safety. The record  
17 of suspensions, revocations and convictions that would be counted under s. 343.307  
18 (2) and of convictions for disqualifying offenses under s. 343.315 (2) (h) shall be  
19 maintained for at least 10 years. The record of convictions for disqualifying offenses  
20 under s. 343.315 (2) (f) shall be maintained for at least 3 years. The record of  
21 convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be  
22 maintained permanently, except that 5 years after a licensee transfers residency to  
23 another state such record may be transferred to another state of licensure of the  
24 licensee if that state accepts responsibility for maintaining a permanent record of  
25 convictions for disqualifying offenses. Such reports and records may be cumulative

1 beyond the period for which a license is granted, but the secretary, in exercising the  
2 power of revocation granted under s. 343.32 (2) may consider only those reports and  
3 records entered during the 4-year period immediately preceding the exercise of such  
4 power of revocation. For purposes of this subsection, "highway winter maintenance  
5 snow and ice removal" includes plowing, sanding, salting and the operation of  
6 vehicles in the delivery of those services.

7 **SECTION 187.** 343.245 (3) (b) 3. and 4. of the statutes are amended to read:

8 343.245 (3) (b) 3. Is subject to an out-of-service order in any state; ~~or~~

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

11 **SECTION 188.** 343.245 (3) (b) 5. of the statutes is created to read:

12 343.245 (3) (b) 5. Does not possess a valid commercial driver license properly  
13 endorsed to permit operation of the vehicle.

14 **SECTION 189.** 343.245 (4) (b) of the statutes is amended to read:

15 343.245 (4) (b) Any person who violates sub. (3) (b) shall be fined not more than  
16 ~~\$5,000~~ less than \$2,500 nor more than \$10,000 or imprisoned for not more than 90  
17 days or both.

18 **SECTION 190.** 343.265 (1) (intro.) of the statutes is renumbered 343.265 (1) and  
19 amended to read:

20 343.265 (1) The department may accept the voluntary surrender of the  
21 operator's license of a person who has a mental or physical disability or disease or  
22 a medical condition which prevents or may prevent the person from exercising  
23 reasonable control over a motor vehicle if the person's operating privilege is not  
24 subject to suspension or revocation for any reason ~~and if either of the following~~  
25 ~~conditions are satisfied:~~

1           **SECTION 191.** 343.265 (1) (a) and (b) of the statutes are repealed.

2           **SECTION 192.** 343.28 (1) of the statutes is amended to read:

3           343.28 (1) Whenever a person is convicted of a moving traffic violation under  
4 chs. 341 to 349 or under a local ordinance enacted under ch. 349, the clerk of the court  
5 in which the conviction occurred, or the justice, judge or magistrate of a court not  
6 having a clerk, shall, as provided in s. 345.48, forward to the department the record  
7 of such conviction. The record of conviction forwarded to the department shall state  
8 whether the offender was involved in an accident at the time of the offense, whether  
9 the offender was operating a commercial motor vehicle at the time of the offense and,  
10 if so, whether the offender was transporting hazardous materials or operating a  
11 vehicle designed to carry, or actually carrying, 16 or more passengers, including the  
12 driver. Whenever a person is convicted of exceeding a posted speed limit, the record  
13 of conviction forwarded to the department shall include the number of miles per hour  
14 in excess of the posted speed limit.

15           **SECTION 193.** 343.28 (2) of the statutes is amended to read:

16           343.28 (2) Whenever a person is convicted of any offense for which s. 343.31  
17 makes mandatory the revocation by the secretary of such person's operating  
18 privilege, the court in which the conviction occurred shall require the surrender to  
19 it of any license then held by such person. The clerk of the court, or the justice, judge  
20 or magistrate if the court has no clerk, shall, as provided in s. 345.48, forward to the  
21 department the record of conviction and any surrendered licenses. The record of  
22 conviction forwarded to the department shall state whether the offender was  
23 involved in an accident at the time of the offense, whether the offender was operating  
24 a commercial motor vehicle at the time of the offense and, if so, whether the offender

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

3 **SECTION 194.** 343.305 (10) (em) of the statutes is amended to read:

4 343.305 (10) (em) One penalty for improperly refusing to submit to a test for  
5 intoxication regarding a person arrested for a violation of s. 346.63 (2m) or (7) or a  
6 local ordinance in conformity therewith is revocation of the person's operating  
7 privilege for 6 months. After the first 15 days of the revocation period, the person  
8 is eligible for an occupational license under s. 343.10. Any such improper refusal or  
9 revocation for the refusal does not count as a prior refusal or a prior revocation under  
10 this section or ss. 343.30 (1q), 343.307 and 346.65 (2). The person shall not be  
11 required to submit to and comply with any assessment or driver safety plan under  
12 pars. (c) and (d).

13 **SECTION 195.** 343.315 (2) (f) (intro.) of the statutes is amended to read:

14 343.315 (2) (f) (intro.) A person is disqualified for a period of 60 days from  
15 operating a commercial motor vehicle if convicted of 2 serious traffic violations, ~~or~~  
16 and 120 days if convicted of 3 serious traffic violations, arising from separate  
17 occurrences committed within a 3-year period while driving or operating a  
18 commercial motor vehicle. ~~The department shall consider only offenses committed~~  
19 ~~on or after November 2, 1989 in applying~~ 120-day period of disqualification under  
20 this paragraph shall be in addition to any other period of disqualification imposed  
21 under this paragraph. In this paragraph, "serious traffic violations" means:

22 **SECTION 196.** 343.315 (2) (fm) of the statutes is created to read:

23 343.315 (2) (fm) A person is disqualified for a period of 60 days from operating  
24 a commercial motor vehicle if convicted of violating s. 343.14 (5) or 345.17, if the  
25 violation relates to an application for a commercial driver license.

1           **SECTION 197.** 343.315 (2) (h) of the statutes is created to read:

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

11           **SECTION 198.** 343.315 (2) (i) of the statutes is created to read:

12           343.315 (2) (i) If the violation listed in par. (h) occurred in the course of  
13 transporting hazardous materials or while operating a vehicle designed to carry, or  
14 actually carrying, 16 or more passengers, including the driver, the person shall be  
15 disqualified from operating a commercial motor vehicle for 180 days upon a first  
16 conviction, or for a 3-year period for a 2nd or subsequent conviction, arising from  
17 separate occurrences committed within a 10-year period while driving or operating  
18 a commercial motor vehicle. A disqualification under this paragraph shall be in  
19 addition to any penalty imposed under s. 343.44.

20           **SECTION 199.** 343.315 (3) (a) of the statutes is amended to read:

21           343.315 (3) (a) Notwithstanding s. 343.39, if a person's license or operating  
22 privilege is revoked or suspended as the result of an offense committed after March  
23 31, 1992, which results in disqualification under sub. (2), the department shall  
24 immediately disqualify the person from operating a commercial motor vehicle for the  
25 period required under sub. (2). The person's authorization to operate a commercial

1 motor vehicle shall not be reinstated upon expiration of the period of revocation or  
2 suspension unless the period of disqualification has also expired. During any period  
3 of disqualification in which the person's license or operating privilege is not revoked  
4 or suspended, the department may issue an operator's license to the person for the  
5 operation of vehicles other than commercial motor vehicles. ~~Upon expiration of the~~  
6 ~~period of disqualification, the person may apply for authorization to operate~~  
7 ~~commercial motor vehicles as provided in s. 343.14.~~

8 **SECTION 200.** 343.315 (3) (b) of the statutes is amended to read:

9 343.315 (3) (b) If a person's license or operating privilege is not otherwise  
10 revoked or suspended as the result of an offense committed after March 31, 1992,  
11 which results in disqualification under sub. (2) (a) to (f), (h) or (i), the department  
12 shall immediately ~~cancel the person's license~~ disqualify the person from operating  
13 a commercial motor vehicle for the period required under sub. (2) (a) to (f), (h) or (i).

14 Upon proper application by the person and payment of a duplicate license fee, the  
15 department may issue a separate license authorizing only the operation of vehicles  
16 other than commercial motor vehicles. Upon expiration of the period of  
17 disqualification, the person may apply for authorization to operate commercial  
18 motor vehicles under s. 343.26.

19 **SECTION 201.** 343.32 (4) of the statutes is amended to read:

20 343.32 (4) In adopting rules for weighing traffic convictions by their  
21 seriousness under sub. (2), the secretary shall provide by rule for a reduction of up  
22 to 3 points if a person shows to the department satisfactory evidence of completion  
23 of a rider course approved by the secretary. This subsection applies only to demerit  
24 points relating to violations committed before completion of the rider course by a

1 person while driving or operating a Type 1 motorcycle. ~~No person is eligible for more~~  
2 ~~than one point reduction of up to 3 points under this subsection.~~

3 **SECTION 202.** 343.325 (title) of the statutes is amended to read:

4 **343.325 (title) Courts to report appeals; when appeal stays suspension**  
5 **or, revocation or disqualification.**

6 **SECTION 203.** 343.325 (2) of the statutes is amended to read:

7 343.325 (2) Notwithstanding ss. 343.31, 343.315 and 343.32 and except as  
8 otherwise provided in sub. (4), the secretary shall not suspend or revoke a person's  
9 operating privilege or disqualify a person from operating a commercial motor vehicle  
10 on the basis of a conviction if the secretary receives from the court in which the  
11 conviction occurred a certificate stating that an appeal from the conviction has been  
12 taken. If the secretary receives such certificate after suspension or revocation of the  
13 operating privilege, the operating privilege shall be reinstated without requiring  
14 compliance with s. 343.38. If the secretary receives the certificate after suspension  
15 of the operating privilege or disqualification, the operating privilege or authorization  
16 to operate a commercial motor vehicle shall be reinstated automatically.

17 **SECTION 204.** 343.325 (3) of the statutes is amended to read:

18 343.325 (3) Whenever suspension or revocation of an operating privilege or a  
19 disqualification has been withheld as provided in sub. (2) and the department  
20 receives notice that the conviction in question has been affirmed on appeal or that  
21 the appeal has been dropped, the secretary shall suspend or revoke such operating  
22 privilege or disqualify the person from operating a commercial motor vehicle on the  
23 same basis as if the appeal had not been taken, but the period of suspension ~~or,~~  
24 revocation or disqualification shall run from the date of suspension ~~or,~~ revocation or  
25 disqualification following the affirmance of the conviction or dropping of the appeal,

1 less any time the operating privilege had been suspended or revoked or the  
2 authorization to operate a commercial motor vehicle had been disqualified prior to  
3 the receipt by the secretary of the certificate under sub. (2).

4 **SECTION 205.** 343.325 (3m) of the statutes is amended to read:

5 343.325 (3m) Whenever the suspension or revocation of an operating privilege  
6 or a disqualification has been rescinded or withheld because of administrative  
7 action, an appeal, or a court order to reopen, stay or vacate a conviction, suspension  
8 ~~or~~, revocation or disqualification, and that suspension ~~or~~, revocation or  
9 disqualification is subsequently reimposed, the period of suspension ~~or~~, revocation  
10 or disqualification so reimposed shall be reduced by the period of suspension ~~or~~,  
11 revocation or disqualification previously served.

12 **SECTION 206.** 343.325 (4) of the statutes is amended to read:

13 343.325 (4) If a person whose suspension ~~or~~, revocation or disqualification was  
14 stayed pursuant to sub. (2) is convicted of an offense for which revocation or  
15 disqualification is mandatory under s. 343.31 or 343.315, during the pendency of the  
16 appeal of the original conviction, the secretary shall forthwith revoke such person's  
17 operating privilege or disqualify the person from operating a commercial motor  
18 vehicle on account of the latter conviction, notwithstanding the appeal of either or  
19 both convictions.

20 **SECTION 207.** 343.325 (5) of the statutes is amended to read:

21 343.325 (5) This section shall not prevent suspension or revocation of an  
22 operating privilege or a disqualification if there are grounds for suspension ~~or~~,  
23 revocation or disqualification other than the conviction in question.

24 **SECTION 208.** 343.325 (6) (a) of the statutes is amended to read:

1           343.325 **(6)** (a) If a court enters an order reopening, vacating or staying a  
2 conviction or a suspension or revocation of an operating privilege or a  
3 disqualification, the court shall promptly forward a copy of that order to the  
4 department.

5           **SECTION 209.** 343.44 (title) of the statutes is amended to read:

6           **343.44** (title) **Driving while disqualified, ~~out of service~~ or ordered**  
7 **out-of-service or after license revoked or suspended.**

8           **SECTION 210.** 343.44 (1) of the statutes is amended to read:

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

18           **SECTION 211.** 343.44 (3) of the statutes is amended to read:

19           343.44 **(3)** Refusal to accept or failure to receive an order of revocation ~~or~~,  
20 suspension or disqualification mailed by 1st class mail to such person's last-known  
21 address shall not be a defense to the charge of driving after revocation ~~or~~, suspension  
22 or disqualification. If the person has changed his or her address and fails to notify  
23 the department as required in s. 343.22 then failure to receive notice of revocation  
24 ~~or~~, suspension or disqualification shall not be a defense to the charge of driving after  
25 revocation ~~or~~, suspension or disqualification.

1           **SECTION 212.** 343.44 (4r) of the statutes is created to read:

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

6           **SECTION 213.** 344.12 of the statutes is amended to read:

7           **344.12 Applicability of provisions relating to deposit of security for**  
8 **past accidents.** Subject to the exceptions contained in s. 344.14, the provisions of  
9 this chapter requiring deposit of security and requiring revocation for failure to  
10 deposit security apply to the operator and owner of every motor vehicle which is in  
11 any manner involved in an accident in this state which has resulted in bodily injury  
12 to or death of any person or damage to property of any other person in excess of \$500  
13 \$1,000.

14           **SECTION 214.** 344.14 (2) (e) of the statutes is amended to read:

15           344.14 (2) (e) To the operator or owner of a vehicle involved in an accident  
16 wherein no injury was caused to the person of anyone other than such operator or  
17 owner and wherein damage to property of any one person other than such operator  
18 or owner did not exceed \$500 \$1,000.

19           **SECTION 215.** 346.70 (1) of the statutes is amended to read:

20           346.70 (1) IMMEDIATE NOTICE OF ACCIDENT. The operator of a vehicle involved in  
21 an accident resulting in injury to or death of any person, any damage to state or other  
22 government-owned property, except a state or other government-owned vehicle, to  
23 an apparent extent of \$200 or more or total damage to property owned by any one  
24 person or to a state or other government-owned vehicle to an apparent extent of \$500  
25 \$1,000 or more shall immediately by the quickest means of communication give

1 notice of such accident to the police department, the sheriff's department or the  
2 traffic department of the county or municipality in which the accident occurred or  
3 to a state traffic patrol officer. In this subsection, "injury" means injury to a person  
4 of a physical nature resulting in death or the need of first aid or attention by a  
5 physician or surgeon, whether or not first aid or medical or surgical treatment was  
6 actually received; "total damage to property owned by one person" means the sum  
7 total cost of putting the property damaged in the condition it was before the accident,  
8 if repair thereof is practical, and if not practical, the sum total cost of replacing such  
9 property. For purposes of this subsection if any property which is damaged is held  
10 in a form of joint or multiple ownership, the property shall be considered to be owned  
11 by one person.

12 **SECTION 216.** 348.15 (3) (bg), (br), (bv) and (e) of the statutes are amended to  
13 read:

14 348.15 (3) (bg) In the case of a vehicle or combination of vehicles transporting  
15 exclusively milk from the point of production to the primary market and the return  
16 of dairy supplies and dairy products from such primary market to the farm, the gross  
17 weight imposed on the highway by the wheels of any one axle may not exceed 21,000  
18 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more  
19 consecutive axles more than 9 feet apart, a weight of 2,000 pounds more than is  
20 shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply  
21 to the national system of interstate and defense highways, except for that portion of  
22 USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51  
23 and the I 90/94 interchange near Portage upon their federal designation as I 39.

24 (br) In the case of a vehicle or combination of vehicles transporting exclusively  
25 peeled or unpeeled forest products cut crosswise or in the case of a vehicle or

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

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

21 (e) Notwithstanding pars. (a), (b) and (c), in the case of a vehicle or combination  
22 of vehicles transporting exclusively livestock, the gross weight imposed on the  
23 highway by the wheels of any one axle or axle group may exceed the applicable weight  
24 limitation specified in pars. (a), (b) and (c) by 15% if the gross weight of the vehicle  
25 or combination of vehicles does not exceed the maximum gross weight specified for

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

5 **SECTION 217.** 348.175 of the statutes is amended to read:

6 **348.175 Seasonal operation of vehicles hauling peeled or unpeeled**  
7 **forest products cut crosswise or abrasives or salt for highway winter**  
8 **maintenance.** The transportation of peeled or unpeeled forest products cut  
9 crosswise or of abrasives or salt for highway winter maintenance in excess of gross  
10 weight limitations under s. 348.15 shall be permitted during the winter months  
11 when the highways are so frozen that no damage may result thereto by reason of such  
12 transportation. If at any time any person is so transporting such products or  
13 abrasives or salt upon a class "A" highway in such frozen condition then that person  
14 may likewise use a class "B" highway without other limitation, except that chains  
15 and other traction devices are prohibited on class "A" highways but such chains and  
16 devices may be used in cases of necessity. The officers or agencies in charge of  
17 maintenance of highways, upon determination of such frozen condition and freedom  
18 of damage to such highways by transportation shall declare particular highways, or  
19 highways within areas of the state as eligible for increased weight limitations. Such  
20 declaration shall include the maximum weight on each axle, combination of axles  
21 and the gross weight allowed. Any person transporting any such product over any  
22 highway of this state under this section is liable to the maintaining authority for any  
23 damage caused to such highway. This section does not apply to the national system  
24 of interstate and defense highways, except for that portion of USH 51 between

1 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94  
2 interchange near Portage upon their federal designation as I 39.

3 **SECTION 218.** 348.19 (2) (b) and (4) of the statutes are amended to read:

4 348.19 (2) (b) If upon weighing a vehicle transporting livestock a traffic officer  
5 determines that the gross weight of the vehicle exceeds the limitations imposed by  
6 s. 348.15 or 348.16 or a limitation posted as provided in s. 348.17 (1), and if the point  
7 of apprehension is 15 miles or less from the destination of the vehicle, the traffic  
8 officer shall permit the operator of the vehicle to proceed to such destination without  
9 requiring the vehicle to be reloaded or unloaded as provided in par. (a). This  
10 paragraph does not apply to vehicles transporting livestock on the national system  
11 of interstate and defense highways, except for that portion of USH 51 between  
12 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94  
13 interchange near Portage upon their federal designation as I 39.

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

19 **SECTION 219.** 348.27 (4), (9m) and (9r) of the statutes are amended to read:

20 348.27 (4) INDUSTRIAL INTERPLANT PERMITS. The department may issue, to  
21 industries and to their agent motor carriers owning and operating oversize vehicles  
22 in connection with interplant, and from plant to state line, operations in this state,  
23 annual or consecutive month permits for the operation of such vehicles over  
24 designated routes, provided that such permit shall not be issued under this section  
25 to agent motor carriers or, except for that portion of USH 51 between Wausau and

1 STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near  
2 Portage upon their federal designation as I 39, from plant to state line for vehicles  
3 or loads of width exceeding 102 inches upon routes of the national system of  
4 interstate and defense highways. If the routes desired to be used by the applicant  
5 involve city or village streets or county or town highways, the application shall be  
6 accompanied by a written statement of route approval by the officer in charge of  
7 maintenance of the highway in question.

8 **(9m)** TRANSPORTATION OF RAW FOREST AND AGRICULTURAL PRODUCTS. The  
9 department may issue annual or consecutive month permits for the transportation  
10 of raw forest products or for the transportation of fruits or vegetables from field to  
11 storage or processing facilities in vehicles or vehicle combinations that exceed the  
12 maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000  
13 pounds. A permit issued under this subsection does not authorize the operation of  
14 any vehicle or vehicle combination at a maximum gross weight in excess of 90,000  
15 pounds. This subsection does not apply to highways designated as part of the  
16 national system of interstate and defense highways, except for that portion of USH  
17 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and  
18 the I 90/94 interchange near Portage upon their federal designation as I 39.

19 **(9r)** TRANSPORTATION OF SCRAP. The department may issue an annual or  
20 consecutive month permit for the transportation of metallic or nonmetallic scrap for  
21 the purpose of recycling or processing on a vehicle or combination of vehicles which  
22 exceeds statutory weight or length limitations and for the return of the vehicle or  
23 combination of vehicles when empty. This subsection does not apply to the  
24 transportation of scrap on highways designated as part of the national system of  
25 interstate and defense highways, except for that portion of USH 51 between Wausau

1 and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange  
2 near Portage upon their federal designation as I 39.

3 **SECTION 220.** 349.16 (1) (intro.), (a) and (b) of the statutes are amended to read:

4 349.16 (1) (intro.) The officer in charge of maintenance in case of highways  
5 maintained by a town, city or village, the county highway commissioner or county  
6 highway committee in the case of highways maintained by the county and the  
7 department in the case of highways maintained by the state may do any of the  
8 following:

9 (a) Impose special weight limitations on any such highway or portion thereof  
10 which, because of weakness of the roadbed due to deterioration or climatic conditions  
11 or other special or temporary condition, would likely be seriously damaged or  
12 destroyed in the absence of such special limitations;

13 (b) Impose special weight limitations on bridges or culverts when in its  
14 judgment such bridge or culvert cannot safely sustain the maximum weights  
15 permitted by statute;

16 **SECTION 221.** 349.16 (1) (d) of the statutes is created to read:

17 349.16 (1) (d) Impose special weight limitations on any such highway or portion  
18 thereof used as a detour for a state trunk highway under s. 84.02 (10) (b) when such  
19 limitations are considered necessary to protect the public safety. This paragraph  
20 does not apply to highways maintained by the state.

21 **SECTION 222.** 967.055 (2) (a) of the statutes is amended to read:

22 967.055 (2) (a) Notwithstanding s. 971.29, if the prosecutor seeks to dismiss  
23 or amend a charge under s. 346.63 (1) or (5) or a local ordinance in conformity  
24 therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the  
25 use of a vehicle or an improper refusal under s. 343.305, the prosecutor shall apply

1 to the court. The application shall state the reasons for the proposed amendment or  
2 dismissal. The court may approve the application only if the court finds that the  
3 proposed amendment or dismissal is consistent with the public's interest in deterring  
4 the operation of motor vehicles by persons who are under the influence of an  
5 intoxicant, a controlled substance or both, under the influence of any other drug to  
6 a degree which renders him or her incapable of safely driving, or under the combined  
7 influence of an intoxicant and any other drug to a degree which renders him or her  
8 incapable of safely driving, or in deterring the operation of commercial motor  
9 vehicles by persons with an alcohol concentration of 0.04 or more. The court may not  
10 approve an application to amend the vehicle classification from a commercial motor  
11 vehicle to a noncommercial motor vehicle unless there is evidence in the record that  
12 the motor vehicle being operated by the defendant at the time of his or her arrest was  
13 not a commercial motor vehicle.

14 **SECTION 9146. Nonstatutory provisions; public service commission.**

15 (1) FENCING, FARM CROSSING AND CATTLE GUARD COSTS. The commissioner of  
16 railroads and the chairperson of the public service commission shall jointly develop  
17 a plan for phasing in state reimbursement of 100% of the costs incurred by railroads  
18 for fencing, farm crossings and cattleguards, and shall submit a report containing  
19 their findings, conclusions and recommendations, including recommended statutory  
20 changes, to the joint committee on finance by January 1, 1996.

21 **SECTION 9155. Nonstatutory provisions; transportation.**

22 (1) COST-EFFICIENCY STANDARDS.

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

1 of section 85.20 (7) (a) of the statutes, as created by this act. The membership of the  
2 transit committee shall include the chairpersons of all of the following standing  
3 committees of the legislature:

- 4 1. The highways and transportation committee of the assembly.
- 5 2. The transportation, agriculture and local affairs of committee of the senate.
- 6 3. The natural resources committee of the assembly.
- 7 4. The environment and energy committee of the senate.

8 (b) This subsection does not apply after December 31, 1996.

9 (2) **EAST-WEST FREEWAY.** The department of transportation may not conduct  
10 any construction activities relating to highway resurfacing or bridge repair on the  
11 East-West Freeway from downtown Milwaukee to Waukesha until calendar year  
12 1997. This subsection does not apply if any construction activities are funded from  
13 the reserve account established under section 84.61 of the statutes, as created by this  
14 act.

15 (3) **ENTITLEMENT TO SUPPLEMENTS FOR UNBUDGETED COMPENSATION ADJUSTMENTS.**  
16 Notwithstanding section 20.928 of the statutes, the department of transportation is  
17 not entitled to any supplements for unbudgeted compensation adjustments under  
18 section 20.928 of the statutes for the 1995-97 fiscal biennium for any position funded  
19 from the appropriations under section 20.395 (2) (eq) or (3) (bq), (cq) or (eq) of the  
20 statutes, as affected by this act, except for any supplement that exceeds an  
21 adjustment increase for that position of 3%, as determined by the secretary of  
22 administration.

23 (4) **EFFICIENCY MEASURES.** By September 1, 1995, the department of  
24 transportation shall submit recommendations to the joint committee on finance if  
25 the department wishes to reallocate reductions resulting from budgetary efficiency

1 measures and position vacancy reductions among the segregated fund revenue  
2 appropriations of the department of transportation for state operations. If the  
3 department submits recommendations under this subsection, the recommendations  
4 shall be implemented if the committee approves the recommendations, or does not  
5 schedule a meeting for the purpose of reviewing the recommendations within 14  
6 working days after their receipt.

7 (5) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes, in  
8 submitting information under section 16.42 of the statutes for purposes of the  
9 1997-99 biennial budget bill, the department of transportation shall submit  
10 information as follows:

11 (a) A dollar amount for each fiscal year of the 1997-99 fiscal biennium for the  
12 appropriation account under section 20.395 (5) (cq) of the statutes that is \$430,600  
13 less than the total amount appropriated under section 20.395 (5) (cq) of the statutes  
14 for the 1996-97 fiscal year, before submitting any information relating to any  
15 increase or decrease in the dollar amount for that appropriation for the 1997-99  
16 fiscal biennium.

17 (b) A number for the authorized FTE positions for the department of  
18 transportation, to be funded from the appropriation under section 20.395 (5) (cq) of  
19 the statutes, that is 24.2 SEG positions less than the number of authorized FTE  
20 positions funded from that appropriation for the 1996-97 fiscal year, before  
21 submitting any information relating to any increase or decrease in FTE position  
22 authorizations to be funded from that appropriation for the 1997-99 fiscal biennium.

23 (6) ELDERLY AND DISABLED TRANSPORTATION EXPENDITURES STUDY. The  
24 department of transportation shall conduct a study to determine the total amount  
25 and sources of all funds expended in this state on transportation services for the

1 elderly and disabled. On or before July 1, 1996, the department of transportation  
2 shall report the results of its study to the governor, and to the chief clerk of each house  
3 of the legislature for distribution in the manner provided under section 13.172 (2) of  
4 the statutes. All other state agencies shall cooperate with the department of  
5 transportation in conducting the study.

6 (7) REPAVING OF I 43. The department of transportation shall repave that  
7 portion of I 43 with a tined surface beginning before Henry Clay Street and extending  
8 beyond Bender and Devon streets in Milwaukee County, no later than 6 months after  
9 the effective date of this subsection, for the purpose of eliminating the tined surface.  
10 The department shall expend funds not to exceed \$650,000 from the appropriation  
11 under section 20.395 (3) (cq) or (cx) of the statutes for the repaving project.

12 (8) URBAN RAIL TRANSIT SYSTEMS.

13 (a) The department of transportation shall prepare a report that identifies the  
14 amounts of moneys that the department of transportation intended to expend in the  
15 1995-97 fiscal biennium for the study of any urban rail transit system, including any  
16 light rail transit system, and the appropriations from which the moneys were to be  
17 expended, and shall submit the report to the cochairpersons of the joint committee  
18 on finance by August 30, 1995.

19 (b) Upon receiving the report under paragraph (a), the joint committee on  
20 finance may transfer all or part of the moneys from the appropriation accounts  
21 identified in the report to any of the appropriation accounts under section 20.395 (1)  
22 (bq) or (bu) of the statutes. Upon transfer of any moneys to the appropriation account  
23 under s. 20.395 (1) (bq) or (bu) of the statutes, the amounts in the schedule are  
24 increased by the amount transferred for the fiscal year in which the transfer is made.

1           (9) UNFAIR SALES ACT STUDY. The department of transportation and the  
2 department of agriculture, trade and consumer protection shall jointly develop a  
3 plan for strengthening the enforcement of this state's unfair sales act, particularly  
4 as it relates to the sale of motor vehicle fuel and other petroleum products, and shall  
5 submit a report containing their findings, conclusions and recommendations,  
6 including recommended statutory changes, to the joint committee on finance by  
7 September 30, 1995.

8           (10) CALCULATION OF RATE. The department of transportation shall determine  
9 the rate for calculating the amount due under section 341.45 (1g) (a) of the statutes,  
10 as affected by this act, for the 3rd quarter of 1995 by adding the rates for the taxes  
11 under chapter 78 of the statutes and the fee under section 168.12 of the statutes for  
12 each of the months in the quarter, by adding the 3 total rates and by dividing that  
13 total by 3.

14           **SECTION 9242. Appropriation changes; natural resources.**

15           (1) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM. There is transferred  
16 from the appropriation account to the department of natural resources under section  
17 20.370 (9) (mr) of the statutes, as affected by the acts of 1995, to the appropriation  
18 account to the department of transportation under section 20.395 (5) (dk) of the  
19 statutes, as affected by the acts of 1995, \$47,500 in fiscal year 1996-97.

20           **SECTION 9255. Appropriation changes; transportation.**

21           (1) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM. There is transferred  
22 from the appropriation account to the department of transportation under section  
23 20.395 (5) (dq) of the statutes, as affected by the acts of 1995, to the appropriation  
24 account to the department of transportation under section 20.395 (5) (dk) of the  
25 statutes, as affected by the acts of 1995, \$47,500 in fiscal year 1996-97.

1           (2) HAZARDOUS MATERIALS TRANSPORTATION FEES. Notwithstanding section  
2           20.001 (3) (b) of the statutes, the unencumbered balance in the appropriation account  
3           under section 20.395 (4) (bh) of the statutes, as affected by this act, immediately  
4           before the effective date of this subsection shall lapse to the transportation fund.

5           **SECTION 9348. Initial applicability; revenue.**

6           (1) MOTOR VEHICLE FUEL EXEMPTIONS. The treatment of sections 78.005 (13g),  
7           78.01 (2) (e) and (2m) (f), 78.40 (1) and 78.75 (1m) (a) 2. and 3. of the statutes first  
8           applies to fuel purchased on the first day of the first month beginning after  
9           publication.

10          (2) GROSS FARM PROFITS CERTIFICATION. The treatment of section 73.03 (29m) of  
11          the statutes first applies to taxable years beginning on January 1, 1996.

12          **SECTION 9355. Initial applicability; transportation.**

13          (1) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment of sections  
14          344.12, 344.14 (2) (e) and 346.70 (1) of the statutes first applies to accidents occurring  
15          on the effective date of this subsection.

16          (2) COMMERCIAL DRIVER LICENSES. The treatment of sections 343.10 (2) (a) 1.,  
17          343.245 (4) (b), 343.28 (1) and (2), 343.315 (2) (f) (intro.), (fm), (h) and (i) and 343.44  
18          (4r) of the statutes first applies to offenses and refusals committed on the effective  
19          date of this subsection, but does not preclude the counting of other convictions,  
20          suspensions, revocations, disqualifications or refusals as prior convictions,  
21          suspensions, revocations, disqualifications or refusals for purposes of sentencing a  
22          person, suspending or revoking a person's operating privilege, disqualifying a person  
23          from operating a commercial motor vehicle or determining eligibility for an  
24          occupational license or authorization to operate certain vehicles.

1           (3) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395 (1)  
2           (bq) and (bu) and 85.20 (4m) (a), (am), (e) and (em) 1. and (4s) of the statutes and the  
3           creation of sections 20.395 (1) (bs) and 85.20 (4m) (a) 1. to 3. of the statutes first apply  
4           to urban mass transit operating assistance payments for calendar year 1996.

5           **SECTION 9400. Effective dates; general.** Except as otherwise provided in  
6           SECTIONS 9401 to 9459 of this act, this act takes effect on July 1, 1995, or on the day  
7           after publication, whichever is later.

8           **SECTION 9455. Effective dates; transportation.**

9           (1) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment of sections 344.12,  
10           344.14 (2) (e) and 346.70 (1) of the statutes and SECTION 9355 (1) of this act take effect  
11           on January 1, 1996.

12           (2) SPECIAL GROUP LICENSE PLATE FEES. The treatment of section 341.14 (6r) (b)  
13           2., 3. and 4. of the statutes takes effect on January 1, 1996.

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

16           (4) INTERNATIONAL FUEL TAX AGREEMENT; PERMITS. The treatment of sections  
17           20.395 (5) (cq), 25.40 (1) (a) 12., 168.12 (5m), 341.43 and 341.45 (title), (1g) (a) and  
18           (b), (2), (3), (4m) and (5) of the statutes takes effect on August 1, 1995.

19           (5) AIRCRAFT REGISTRATION.

20           (a) The treatment of sections 114.002 (4), (11) and (13) and 114.20 (2) (c), (5),  
21           (7) and (13) (b) 1., 2., 3. and 5. of the statutes takes effect on November 1, 1995.

22           (b) The treatment of section 114.20 (1) (title), (a) and (b), (2) (intro.), (9) (a) to  
23           (c) and (d), (9m) (intro.), (12) and (15) (b) of the statutes and the repeal and recreation  
24           of section 114.20 (5) and (13) (b) 1. and 2. of the statutes take effect on November 1,  
25           1996.

1           (6) MOTOR VEHICLE FUEL TAX. The treatment of sections 78.12 (2) (intro.) and (5)  
2           (a) and 78.49 (1) (a) and (b) of the statutes and the repeal and recreation of section  
3           78.40 (1) of the statutes take effect on August 1, 1995.

4           (7) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395 (1)  
5           (bq) and (bu) and 85.20 (4m) (a), (am), (e) and (em) 1. and (4s) of the statutes and the  
6           creation of sections 20.395 (1) (bs) and 85.20 (4m) (a) 1. to 3. of the statutes take effect  
7           on January 1, 1996.

8           (8) FARM TRUCK REGISTRATION. The treatment of sections 341.08 (2) (am) and  
9           (cm), (4) and (8), 341.26 (3) (a) 1. and 341.297 (2) of the statutes and the creation of  
10          section 341.297 (2) (b) of the statutes take effect on January 1, 1997.

11

(END)