

1           **SECTION 2505.** 302.05 (3) of the statutes is created to read:

2           302.05 (3) (a) In this subsection, “eligible inmate” means an inmate to whom  
3 all of the following apply:

4           1. The inmate is incarcerated regarding a violation other than a crime specified  
5 in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.055, 948.06, 948.07, 948.075,  
6 948.08, or 948.095.

7           2. If the inmate is serving a bifurcated sentence imposed under s. 973.01, the  
8 sentencing court decided under par. (e) or s. 973.01 (3g) that the inmate is eligible  
9 to participate in the earned release program described in this subsection.

10           (b) Except as provided in par. (d), if the department determines that an eligible  
11 inmate serving a sentence other than one imposed under s. 973.01 has successfully  
12 completed the treatment program described in sub. (1), the parole commission shall  
13 parole the inmate for that sentence under s. 304.06, regardless of the time the inmate  
14 has served. If the parole commission grants parole under this paragraph, it shall  
15 require the parolee to participate in an intensive supervision program for drug  
16 abusers as a condition of parole.

17           (c) 1. Except as provided in par. (d), if the department determines that an  
18 eligible inmate serving the term of confinement in prison portion of a bifurcated  
19 sentence imposed under s. 973.01 has successfully completed the treatment program  
20 described in sub. (1), the department shall inform the court that sentenced the  
21 inmate.

22           2. Upon being informed by the department under subd. 1. that an inmate whom  
23 the court sentenced under s. 973.01 has successfully completed the treatment  
24 program described in sub. (1), the court shall modify the inmate’s bifurcated sentence  
25 as follows:

1           a. The court shall reduce the term of confinement in prison portion of the  
2 inmate's bifurcated sentence in a manner that provides for the release of the inmate  
3 to extended supervision within 30 days of the date on which the court receives the  
4 information from the department under subd. 1.

5           b. The court shall lengthen the term of extended supervision imposed so that  
6 the total length of the bifurcated sentence originally imposed does not change.

7           (d) The department may place intensive sanctions program participants in the  
8 treatment program described in sub. (1), but pars. (b) and (c) do not apply to those  
9 participants.

10           (e) If an inmate is serving the term of confinement portion of a bifurcated  
11 sentence imposed under s. 973.01, the sentence was imposed before the effective date  
12 of this paragraph .... [revisor inserts date], and the inmate satisfies the criteria under  
13 par. (a) 1., the inmate may, with the department's approval, petition the sentencing  
14 court to determine whether he or she is eligible or ineligible to participate in the  
15 earned release program under this subsection during the term of confinement. The  
16 inmate shall serve a copy of the petition on the district attorney who prosecuted him  
17 or her, and the district attorney may file a written response. The court shall exercise  
18 its discretion in granting or denying the inmate's petition but must do so no later  
19 than 90 days after the inmate files the petition. If the court determines under this  
20 paragraph that the inmate is eligible to participate in the earned release program,  
21 the court shall inform the inmate of the provisions of par. (c).

22           **SECTION 2506.** 302.113 (2) of the statutes is amended to read:

23           302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this  
24 section is entitled to release to extended supervision after he or she has served the  
25 term of confinement in prison portion of the sentence imposed under s. 973.01, as

1 modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., 302.05 (3)  
2 (c) 2. a., or 973.195 (1r), if applicable.

3 **SECTION 2507.** 303.066 of the statutes is repealed.

4 **SECTION 2508.** 304.06 (1) (b) of the statutes, as affected by 2001 Wisconsin Act  
5 109, is amended to read:

6 304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.  
7 302.045 (3), 302.05 (3) (b), 973.01 (6), or 973.0135, the parole commission may parole  
8 an inmate of the Wisconsin state prisons or any felon or any person serving at least  
9 one year or more in a county house of correction or a county reforestation camp  
10 organized under s. 303.07, when he or she has served 25% of the sentence imposed  
11 for the offense, or 6 months, whichever is greater. Except as provided in s. 939.62  
12 (2m) (c) or 973.014 (1) (b) or (c), (1g) or (2), the parole commission may parole an  
13 inmate serving a life term when he or she has served 20 years, as modified by the  
14 formula under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if  
15 applicable. The person serving the life term shall be given credit for time served prior  
16 to sentencing under s. 973.155, including good time under s. 973.155 (4). The  
17 secretary may grant special action parole releases under s. 304.02. The department  
18 or the parole commission shall not provide any convicted offender or other person  
19 sentenced to the department's custody any parole eligibility or evaluation until the  
20 person has been confined at least 60 days following sentencing.

21 **SECTION 2509.** 304.073 of the statutes is repealed.

22 **SECTION 2510.** 304.074 (1) of the statutes is repealed.

23 **SECTION 2511.** 304.074 (4) of the statutes is repealed.

24 **SECTION 2512.** 340.01 (7m) of the statutes is amended to read:

1           340.01 (7m) “Commercial driver license” means a license issued to a person by  
2 this state or another jurisdiction which is in accordance with the requirements of the  
3 ~~federal commercial motor vehicle safety act of 1986, 49 USC 31301 to 31317~~ or by  
4 Canada or Mexico, and which authorizes the licensee to operate certain commercial  
5 motor vehicles.

6           **SECTION 2512m.** 340.01 (8) (d) of the statutes is amended to read:

7           340.01 (8) (d) The vehicle is transporting hazardous materials requiring  
8 placarding or any quantity of a material listed as a select agent or toxin under 42 CFR  
9 73.

10          **SECTION 2513.** 340.01 (13m) of the statutes is amended to read:

11          340.01 (13m) “Disqualification” means the loss or withdrawal of a person’s  
12 privilege to operate a commercial motor vehicle relating to certain offenses  
13 committed by the person while driving or operating a motor vehicle or while on duty  
14 time with respect to a commercial motor vehicle.

15          **SECTION 2516.** 341.25 (1) (a) of the statutes is amended to read:

16          341.25 (1) (a) For each automobile, a fee of ~~\$45~~ \$55, except that an automobile  
17 registered in this state prior to September 1, 1947, at a fee of less than \$18 shall be  
18 registered at such lesser fee plus an additional fee of \$2.

19          **SECTION 2518.** 342.14 (1) of the statutes is amended to read:

20          342.14 (1) For filing an application for the first certificate of title, ~~\$8.50~~ \$18.50,  
21 by the owner of the vehicle.

22          **SECTION 2519.** 342.14 (1r) of the statutes is amended to read:

23          342.14 (1r) Upon filing an application under sub. (1) or (3), an environmental  
24 impact fee of \$9, by the person filing the application. All moneys collected under this

1 subsection shall be credited to the environmental fund for environmental  
2 management. This subsection does not apply after December 31, ~~2003~~ 2005.

3 **SECTION 2520.** 342.14 (3) of the statutes is amended to read:

4 342.14 (3) For a certificate of title after a transfer, ~~\$8.50~~ \$18.50, by the owner  
5 of the vehicle.

6 **SECTION 2521m.** 343.025 (2) of the statutes is amended to read:

7 343.025 (2) Beginning in 1991, the department shall annually submit a report  
8 to the chief clerk of each house of the legislature for distribution to the legislature  
9 under s. 13.172 (2) concerning the numbers of individuals, by counties in this state,  
10 to whom the department distributed explanatory materials under ss. ~~343.14 (8)~~,  
11 343.20 (2m) and 343.50 (4).

12 **SECTION 2521w.** 343.03 (1) (a) of the statutes is amended to read:

13 343.03 (1) (a) The department shall institute a classified driver license system  
14 meeting all federal standards under 49 USC 31301 to 31317 and 49 CFR 383 and 384.

15 **SECTION 2522.** 343.03 (1) (a) of the statutes, as affected by 2003 Wisconsin Act  
16 .... (this act), is amended to read:

17 343.03 (1) (a) The department shall institute a classified driver license system  
18 meeting all federal standards under 49 USC 30304 (e) and 31301 to 31317 and 49  
19 CFR 383 and 384.

20 **SECTION 2523.** 343.03 (3) (a) of the statutes is amended to read:

21 343.03 (3) (a) *Regular license.* The standard license legend is “regular” or a  
22 readily recognizable abbreviation thereof. The regular license, without any express  
23 endorsements or restrictions as provided in this chapter, authorizes the licensee to  
24 operate only “class D” vehicles as described in s. 343.04 (1) (d), except as otherwise  
25 provided in this subsection. The license may be endorsed to permit operation of Type

1 1 motorcycles or school buses that are not commercial motor vehicles. A regular  
2 license may be subject to restrictions, including the attachment of a special  
3 restrictions card as provided in s. 343.17 (4).

4 **SECTION 2524.** 343.03 (3) (e) of the statutes is amended to read:

5 343.03 (3) (e) *Occupational license.* A license issued under s. 343.10  
6 authorizing only the operation of motor vehicles other than “Class A”, “Class B” or  
7 “Class C” vehicles shall be labeled “Occupational License”. ~~Licenses issued under s.~~  
8 ~~343.10 authorizing the operation of “Class A”, “Class B” or “Class C” vehicles shall~~  
9 ~~be labeled “CDL Occupational”.~~ An occupational license may authorize the operation  
10 of “Class D” or “Class M” vehicles, or both, but may not ~~be endorsed to permit~~  
11 ~~operation of the vehicle types described in s. 343.04 (2).~~ The license may be subject  
12 to restrictions in addition to those provided in s. 343.10, including the attachment  
13 of a special restrictions card as provided in s. 343.17 (4).

14 **SECTION 2524r.** 343.03 (5) (title) of the statutes is amended to read:

15 343.03 (5) (title) INQUIRIES BEFORE ISSUANCE OR RENEWAL.

16 **SECTION 2525.** 343.03 (5) of the statutes is renumbered 343.03 (5) (a) and  
17 amended to read:

18 343.03 (5) (a) Before issuing ~~a~~ or renewing any license under this chapter, the  
19 department shall obtain driver record information from the national driver registry  
20 and commercial driver license information system to determine whether the  
21 applicant holds a commercial driver license, or a license that is revoked, suspended  
22 or canceled, or is otherwise disqualified. If the applicant is currently licensed in  
23 another state, the department shall obtain information on the applicant’s license  
24 status with the state of licensure before issuing a license.

25 **SECTION 2526.** 343.03 (5) (b) of the statutes is created to read:

1           343.03 (5) (b) 1. Before issuing or renewing a commercial driver license, the  
2 department shall, within the time period specified in 49 CFR 384.232, request from  
3 any other jurisdiction that has issued an operator's license or commercial driver  
4 license to the person within the previous 10 years the driving record of the person  
5 as required under 49 CFR 384.206 (a) (2) (ii).

6           2. Subdivision 1. does not apply to a renewal of a person's commercial driver  
7 license if the department has previously issued or renewed a commercial driver  
8 license after the effective date of this subdivision ... [revisor inserts date], and, in  
9 connection with the previous issuance or renewal, the department recorded on the  
10 person's driving record under s. 343.23 (2) (a) the date on which the operator's record  
11 check under subd. 1. was performed.

12           **SECTION 2527.** 343.03 (6) of the statutes is renumbered 343.03 (6) (a).

13           **SECTION 2528.** 343.03 (6) (b) of the statutes is created to read:

14           343.03 (6) (b) The department shall, upon request and within 30 days of the  
15 request, provide to the driver licensing agencies of other jurisdictions the driving  
16 record of any person currently or previously licensed by the department, as required  
17 under 49 CFR 384.206 (a) (2) (iii).

18           **SECTION 2529.** 343.03 (6) (c) of the statutes is created to read:

19           343.03 (6) (c) The department shall, upon request and within the time period  
20 specified in s. 343.23 (2) (am) 1. b. and c., provide the operating record file  
21 information specified in s. 343.23 (2) (am) 1. b. and c. to any of the following  
22 requesters:

- 23           1. The person holding the commercial driver license.
- 24           2. The U.S. secretary of transportation.

1           3. Any employer or prospective employer of the person holding the commercial  
2 driver license, after notice to such person.

3           4. Any driver licensing agency of another jurisdiction or law enforcement  
4 agency.

5           5. Any governmental entity having access to the commercial driver license  
6 information system.

7           6. Any authorized agent of a requester specified in subds. 1. to 5.

8           **SECTION 2530.** 343.03 (7) (title) of the statutes is amended to read:

9           343.03 (7) (title) NOTIFICATION OF COMMERCIAL DRIVER LICENSE ISSUANCE AND  
10 CERTAIN VIOLATIONS.

11           **SECTION 2531.** 343.03 (7) of the statutes is renumbered 343.03 (7) (a).

12           **SECTION 2532.** 343.03 (7) (b) of the statutes is created to read:

13           343.03 (7) (b) Within 10 days after the disqualification of the holder of a  
14 commercial driver license from operating a commercial motor vehicle for at least 60  
15 days, or after the revocation, suspension, or cancellation of a commercial driver  
16 license for at least 60 days, the department shall notify the commercial driver license  
17 information system and, if the license was not issued by the department, the  
18 jurisdiction that issued the license of the disqualification, revocation, suspension, or  
19 cancellation and the violation that resulted in the disqualification, revocation,  
20 suspension, or cancellation.

21           **SECTION 2533.** 343.03 (7) (c) of the statutes is created to read:

22           343.03 (7) (c) Within 30 days after a conviction of the holder of a commercial  
23 driver license issued by another jurisdiction for violating any state law or local  
24 ordinance of this state or any law of a federally recognized American Indian tribe or  
25 band in this state in conformity with any state law relating to motor vehicle traffic



1 control, other than parking violations, or after a conviction of the holder of an  
2 operator's license issued by another jurisdiction, other than a commercial driver  
3 license, for operating a commercial motor vehicle without a commercial driver  
4 license, the department shall notify the driver licensing agency of the jurisdiction  
5 that issued the license of the conviction.

6 **SECTION 2534.** 343.03 (7) (c) of the statutes, as created by 2003 Wisconsin Act  
7 .... (this act), is amended to read:

8 343.03 (7) (c) Within ~~30~~ 10 days after a conviction of the holder of a commercial  
9 driver license issued by another jurisdiction for violating any state law or local  
10 ordinance of this state or any law of a federally recognized American Indian tribe or  
11 band in this state in conformity with any state law relating to motor vehicle traffic  
12 control, other than parking violations, or after a conviction of the holder of an  
13 operator's license issued by another jurisdiction, other than a commercial driver  
14 license, for operating a commercial motor vehicle without a commercial driver  
15 license, the department shall notify the driver licensing agency of the jurisdiction  
16 that issued the license of the conviction.

17 **SECTION 2534g.** 343.04 (1) (c) 2. of the statutes is amended to read:

18 343.04 (1) (c) 2. The vehicle is transporting hazardous materials requiring  
19 placarding or any quantity of a material listed as a select agent or toxin under 42 CFR  
20 73.

21 **SECTION 2534i.** 343.04 (2) (a) of the statutes is amended to read:

22 343.04 (2) (a) *Hazardous materials transporter.* Hazardous materials  
23 transporter vehicles are vehicles transporting hazardous materials requiring  
24 placarding or any quantity of a material listed as a select agent or toxin under 42 CFR  
25 73.

1           **SECTION 2534k.** 343.055 (3) of the statutes is amended to read:

2           343.055 (3) VEHICLES TRANSPORTING HAZARDOUS MATERIALS, CARRYING PASSENGERS  
3 OR TOWING DOUBLE OR TRIPLE TRAILERS NOT WAIVED. Nothing in this section authorizes  
4 the operation of a combination vehicle with double or triple trailers, a vehicle  
5 transporting hazardous materials requiring placarding except as provided in sub. (1)  
6 (c), a vehicle transporting any quantity of a material listed as a select agent or toxin  
7 under 42 CFR 73, or a vehicle carrying or designed to transport the driver and 15 or  
8 more persons, by a person who does not hold a valid operator's license properly  
9 endorsed to permit such operation.

10           **SECTION 2535.** 343.06 (2) of the statutes is amended to read:

11           343.06 (2) The department shall not issue a commercial driver license,  
12 including a renewal, ~~occupational~~, or reinstated license, to any person during any  
13 period of disqualification under s. 343.315 or 49 CFR 383.51 or the law of another  
14 jurisdiction in substantial conformity therewith, as the result of one or more  
15 disqualifying offenses committed on or after July 1, 1987, or to any person whose  
16 operating privilege is revoked, suspended, or canceled. Any person who is known to  
17 the department to be subject to disqualification as described in s. 343.44 (1) (d) shall  
18 be disqualified by the department as provided in s. 343.315.

19           **SECTION 2536g.** 343.07 (1m) (d) of the statutes is created to read:

20           343.07 (1m) (d) No person holding an instruction permit issued under this  
21 subsection may operate a vehicle transporting hazardous materials requiring  
22 placarding or any quantity of a material listed as a select agent or toxin under 42 CFR  
23 73.

24           **SECTION 2537.** 343.10 (1) (b) of the statutes is amended to read:

1           343.10 (1) (b) The application shall be in a form established by the department  
2 and shall identify the specific motor vehicle that the applicant seeks authorization  
3 to operate, including the vehicle classification and any required endorsements. The  
4 application shall include an explanation of why operating the motor vehicle is  
5 essential to the person's livelihood and identify the person's occupation or trade. The  
6 application shall identify the applicant's employer, and include proof of financial  
7 responsibility as specified in s. 343.38 (1) (c) covering the vehicle or vehicles that the  
8 applicant requests authorization to operate. The application shall identify the hours  
9 of operation and routes of travel being requested by the applicant in accord with the  
10 restrictions of sub. (5). ~~The applicant shall certify whether, to the best of personal~~  
11 ~~knowledge, he or she is disqualified under s. 343.315.~~

12           **SECTION 2538.** 343.10 (1) (d) of the statutes is repealed.

13           **SECTION 2539.** 343.10 (1) (e) of the statutes is repealed.

14           **SECTION 2540.** 343.10 (1) (f) of the statutes is repealed.

15           **SECTION 2541.** 343.10 (2) (c) of the statutes is amended to read:

16           343.10 (2) (c) No occupational license permitting the operation of a commercial  
17 motor vehicle may be granted to a person ~~during a period of disqualification under~~  
18 ~~s. 343.315.~~

19           **SECTION 2542.** 343.10 (7) (e) of the statutes is amended to read:

20           343.10 (7) (e) The occupational license issued by the department shall contain  
21 the restrictions required by sub. (5). The occupational license authorizes the licensee  
22 to operate a motor vehicle only when that operation is an essential part of the  
23 licensee's occupation or trade. If the department determines that the applicant is  
24 eligible under sub. (2), the department may impose such conditions and limitations  
25 upon the authorization to operate ~~commercial or noncommercial~~ motor vehicles as

1 in the secretary's judgment are necessary in the interest of public safety and welfare,  
2 including reexamination of the person's qualifications to operate a commercial or  
3 ~~noncommercial~~ motor vehicle or a particular type thereof. The department may limit  
4 such authorization to include, without limitation, the operation of particular  
5 vehicles, particular kinds of operation and particular traffic conditions.

6 **SECTION 2543.** 343.10 (7) (g) of the statutes is repealed.

7 **SECTION 2544.** 343.12 (2) (intro.) of the statutes is amended to read:

8 343.12 (2) (intro.) The Except as provided in sub. (2m), the department shall  
9 issue a school bus endorsement to a person only if such person meets all of the  
10 following requirements:

11 **SECTION 2545.** 343.12 (2m) of the statutes is created to read:

12 343.12 (2m) The department shall issue a school bus endorsement to a person,  
13 authorizing operation of a school bus that is a commercial motor vehicle, only if such  
14 person meets all of the requirements specified in sub. (2) and, in addition, meets all  
15 of the following requirements:

16 (a) Has been or is at the same time issued a valid commercial driver license.

17 (b) Qualifies for the endorsement under s. 343.17 (3) (d) 3., including passing  
18 the knowledge and driving skills tests required for obtaining such an endorsement.

19 (c) Passes a knowledge test in compliance with the requirements of 49 CFR  
20 383.123 (a) (2).

21 (d) Passes a driving skills test in compliance with the requirements of 49 CFR  
22 383.123 (a) (3). If the test specified under sub. (2) (h) and s. 343.16 (1) meets the  
23 requirements of 49 CFR 383.123 (a) (3), no additional driving skills test is required  
24 under this paragraph.

25 **SECTION 2546.** 343.12 (3) of the statutes is amended to read:

1           343.12 (3) The Notwithstanding sub. (2) (a) and (g), the department may issue  
2 a school bus endorsement under sub. (2) to a person who is more than 70 years of age  
3 if the person meets the requirements specified in sub. (2) (c) to (f) and (h) before  
4 issuance of the endorsement and annually takes and passes a physical examination  
5 prior to issuance or renewal of the endorsement to determine that the person meets  
6 the physical standards established under sub. (2) (g). Notwithstanding sub. (2) (a)  
7 and (g), the department may issue a school bus endorsement under sub. (2m) to a  
8 person who is more than 70 years of age if the person meets the requirements  
9 specified in subs. (2) (c) to (f) and (h) and (2m) (a) to (d) before issuance of the  
10 endorsement and annually takes and passes a physical examination prior to  
11 issuance or renewal of the endorsement to determine that the person meets the  
12 physical standards established under sub. (2) (g).

13           **SECTION 2547t.** 343.12 (4) (a) (intro.) and 1. of the statutes are consolidated,  
14 renumbered 343.12 (4) (a) and amended to read:

15           343.12 (4) (a) Notwithstanding sub. (1), a person may operate a school bus in  
16 this state if ~~one or more of the following requirements are met: 1. The~~ the person  
17 is a nonresident holding a valid commercial driver license with a “P” passenger an  
18 “S” endorsement and the school bus is a commercial motor vehicle or, if the school bus  
19 is not a commercial motor vehicle, the person is a resident of Iowa, Illinois, Michigan,  
20 or Minnesota holding a valid operator’s license and any additional endorsements  
21 required by the person’s home jurisdiction for the operation of a school bus and the  
22 origin or destination of the trip is in another state.

23           **SECTION 2549.** 343.12 (4) (a) 2. of the statutes is repealed.

24           **SECTION 2550d.** 343.12 (4) (a) 3. of the statutes is repealed.

25           **SECTION 2551.** 343.12 (4) (b) of the statutes is amended to read:

1           343.12 (4) (b) The department may, by rule, establish standards for the  
2 employment by an employer of a person under par. (a) ~~3~~ as an operator of a school  
3 bus in this state. The rules may require the person to meet the qualifications  
4 contained in sub. (2) ~~or~~, (2m), or (3) and any rules of the department applicable to  
5 residents.

6           **SECTION 2551c.** 343.125 of the statutes is created to read:

7           **343.125 Endorsements for transporting certain hazardous materials.**

8           (1) In this section, ““H” endorsement” means an endorsement specified in s.  
9 343.17 (3) (d) 1m.

10          (2) The department may not issue or renew an “H” endorsement to a  
11 commercial driver license unless all of the following apply:

12          (a) The applicant has submitted to the department documentary proof, in one  
13 or more of the following forms, that the applicant is a U.S. citizen or that the  
14 applicant’s permanent presence in the United States is authorized under federal law:

15           1. A U.S. passport.

16           2. A birth certificate bearing an official seal or other mark of authentication and  
17 issued by a state, county, or municipality within the United States or by a territory  
18 or possession of the United States.

19           3. A certification of birth abroad issued by the federal department of state.

20           4. A certificate of naturalization.

21           5. A certificate of U.S. citizenship.

22           6. A permanent resident card or alien registration receipt card.

23           7. Any other proof specified in 49 CFR 383.71 (a) (9).

1 (b) If the applicant submits proof described under par. (a) 6. or 7., the applicant  
2 submits his or her bureau of citizenship and immigration services alien registration  
3 number.

4 (c) The applicant has passed any knowledge test required by the department.

5 (d) The department of transportation has received notice from the federal  
6 transportation security administration of the federal department of homeland  
7 security that the applicant does not pose a security threat warranting denial of an  
8 “H” endorsement or that the applicant has received a waiver under 49 CFR 1572.143.

9 (3) (a) Except as provided in par. (b), an “H” endorsement shall expire 4 years  
10 after the licensee’s next birthday after the date of issuance or renewal.

11 (b) 1. The initial period for which an “H” endorsement is valid is “.” from the  
12 date on which the “H” endorsement is issued until the earlier of the following dates:

13 a. The date on which the licensee’s commercial driver license expires. This  
14 subd. 1. a. does not apply if the licensee renews his or her commercial driver license  
15 at the same time that the “H” endorsement is issued.

16 b. The date 4 years before the date on which the licensee’s commercial driver  
17 license expires.

18 2. Notwithstanding subd. 1., if “.” as determined under subd. 1. is less than 12  
19 months, the initial period for which an “H” endorsement is valid is “.” from the date  
20 on which the “H” endorsement is issued until the later of the dates specified in subd.

21 1. a. or b.

22 (4) Within 15 days after receiving notice from the federal transportation  
23 security administration of the federal department of homeland security, the  
24 department of transportation shall do all of the following:

1 (a) Update the department's records to reflect the notice received, the issuance,  
2 denial, or cancellation of an "H" endorsement, and, if applicable, the expiration date  
3 of the "H" endorsement.

4 (b) Notify the commercial driver license information system of the notice  
5 received and the department's action.

6 (c) Issue the "H" endorsement, if the department received notice described in  
7 sub. (2) (d) and the applicant is otherwise eligible for issuance of the "H"  
8 endorsement.

9 (d) Cancel or deny the "H" endorsement, if the notice is of a final administrative  
10 determination that the applicant or licensee poses a security threat warranting  
11 denial of an "H" endorsement.

12 (5) Notwithstanding s. 227.42, there is no right to a hearing on any cancellation  
13 or denial of an "H" endorsement under this section.

14 (6) Notwithstanding sub. (3) and s. 343.20 (1) (a), the department may require  
15 any person who holds a valid "H" endorsement on November 1, 2003, to apply for  
16 renewal of that endorsement, if that endorsement expires after November 1, 2008.  
17 The department shall provide the notice required under s. 343.20 (2) (b). The  
18 department may cancel the "H" endorsement of any person who fails to renew within  
19 "." specified by the department under this subsection. This subsection does not apply  
20 to "H" endorsements that are issued or renewed after November 1, 2003.

21 **SECTION 2551e.** 343.14 (2g) of the statutes is created to read:

22 343.14 (2g) (a) Notwithstanding ss. 111.321, 111.322, and 111.335 and any  
23 other provision of law, in addition to the information required under sub. (2), the  
24 application form for an "H" endorsement specified in s. 343.17 (3) (d) 1m. shall



1 include all of the information and statements required under 49 CFR 1572.5 (e),  
2 including all of the following:

3 1. The list of disqualifying felony criminal offenses specified in 49 CFR  
4 1572.103 (b).

5 2. A statement that the individual signing the application meets all of the  
6 following requirements:

7 a. The individual has not been convicted, or found not guilty by reason of  
8 insanity, of any disqualifying felony criminal offense described in subd. 1. in any  
9 jurisdiction during the 7–year period preceding the date of the application.

10 b. The individual has not been released from incarceration in any jurisdiction  
11 for committing any disqualifying felony criminal offense described in subd. 1. within  
12 the 5–year period preceding the date of the application.

13 c. The individual is not wanted or under indictment for any disqualifying felony  
14 criminal offense described in subd. 1.

15 d. The individual is a U.S. citizen who has not renounced that citizenship, or  
16 is lawfully admitted for permanent residence to the United States. If the applicant  
17 is lawfully admitted for permanent residence to the United States, the applicant  
18 shall provide the applicant’s alien registration number issued by the federal  
19 department of homeland security.

20 3. A statement that the individual signing the application has been informed  
21 that s. 343.245 (2) (a) 1. and federal regulations under 49 CFR 1572.5 impose an  
22 ongoing obligation to disclose to the department within 24 hours if the individual is  
23 convicted, or found not guilty by reason of insanity, of any disqualifying felony  
24 criminal offense described in subd. 1., or adjudicated as a mental defective or

1 committed to a mental institution, while he or she holds an “H” endorsement  
2 specified in s. 343.17 (3) (d) 1m.

3 4. Notwithstanding sub. (2) (br) and the provisions of any memorandum of  
4 understanding entered into under s. 49.857 (2), the applicant’s social security  
5 number.

6 (b) Upon receiving a completed application form for an “H” endorsement  
7 specified in s. 343.17 (3) (d) 1m., the department of transportation shall immediately  
8 forward the application to the federal transportation security administration of the  
9 federal department of homeland security. The department of transportation shall  
10 also inform the applicant that the applicant has a right to obtain a copy of the  
11 applicant’s criminal history record by submitting a written request for that record  
12 to the federal transportation security administration.

13 **SECTION 2551h.** 343.14 (8) of the statutes is repealed.

14 **SECTION 2551g.** 343.16 (1) (a) of the statutes is amended to read:

15 343.16 (1) (a) *General.* The department shall examine every applicant for an  
16 operator’s license, including applicants for license renewal as provided in sub. (3),  
17 and every applicant for authorization to operate a vehicle class or type for which the  
18 applicant does not hold currently valid authorization, other than an instruction  
19 permit. Except as provided in sub. (2) (cm) and (e), the examinations of applicants  
20 for licenses authorizing operation of “Class A”, “Class B”, “Class C”, “Class D” or  
21 “Class M” vehicles shall include both a knowledge test and an actual demonstration  
22 in the form of a driving skills test of the applicant’s ability to exercise ordinary and  
23 reasonable control in the operation of a representative vehicle. The department shall  
24 not administer a driving skills test to a person applying for authorization to operate  
25 “Class M” vehicles who has failed 2 previous such skills tests unless the person has

1 successfully completed a rider course approved by the department. The department  
2 may, by rule, exempt certain persons from the rider course requirement of this  
3 paragraph. The driving skills of applicants for endorsements authorizing the  
4 operation of commercial motor vehicles equipped with air brakes, the transportation  
5 of passengers in commercial motor vehicles or the operation of school buses, as  
6 provided in s. 343.04 (2) (b), (d) or (e), shall also be tested by an actual demonstration  
7 of driving skills. The department may endorse an applicant's commercial driver  
8 license for transporting hazardous materials requiring placarding or any quantity  
9 of a material listed as a select agent or toxin under 42 CFR 73, subject to s. 343.125,  
10 or for the operation of tank vehicles or vehicles towing double or triple trailers, as  
11 described in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge  
12 test. In administering the knowledge test, the department shall attempt to  
13 accommodate any special needs of the applicant. Except as may be required by the  
14 department for an "H" or "S" endorsement, the knowledge test is not intended to be  
15 a test for literacy or English language proficiency. This paragraph does not prohibit  
16 the department from requiring an applicant to correctly read and understand  
17 highway signs.

18 **SECTION 2552.** 343.17 (3) (b) of the statutes is amended to read:

19 343.17 (3) (b) The reverse side of the license shall contain an explanation of any  
20 restriction codes or endorsement abbreviations used on the front of the license, in  
21 sufficient detail to identify the nature of the restrictions or endorsements to a law  
22 enforcement officer of this state or another jurisdiction. Except for a commercial  
23 driver license ~~or a license labeled "CDL-Occupational" as described in s. 343.03 (3)~~  
24 ~~(b) and (e)~~, a part of the reverse side of each license shall be printed to serve as a

1 document of gift under s. 157.06 (2) (b) and (c) or a document of refusal to make an  
2 anatomical gift under s. 157.06 (2) (i).

3 **SECTION 2552g.** 343.17 (3) (d) 1m. of the statutes is amended to read:

4 343.17 (3) (d) 1m. “H” endorsement, which authorizes the driver to operate  
5 vehicles transporting hazardous materials requiring placarding or any quantity of  
6 a material listed as a select agent or toxin under 42 CFR 73.

7 **SECTION 2552i.** 343.17 (3) (d) 6. of the statutes is amended to read:

8 343.17 (3) (d) 6. “X” endorsement, which is an optional endorsement that may  
9 be used to indicate that the licensee holds both “H” and “N” endorsements. The  
10 department may not issue or renew an endorsement under this subdivision after the  
11 effective date of this subdivision ... [revisor inserts date].

12 **SECTION 2553.** 343.175 (2) (ag) of the statutes is amended to read:

13 343.175 (2) (ag) The department shall print a separate document to be issued  
14 to all persons issued a commercial driver license ~~or a license labeled~~  
15 ~~“CDL-Occupational” as described in s. 343.03 (3) (b) and (e)~~ and make provisions so  
16 that the document may be attached to the reverse side of the license document along  
17 one edge. This document shall serve as a document of gift under s. 157.06 (2) (b) and  
18 (c) or a document of refusal to make an anatomical gift under s. 157.06 (2) (i).

19 **SECTION 2553m.** 343.20 (1) (a) of the statutes is amended to read:

20 343.20 (1) (a) Except as otherwise expressly provided in this chapter,  
21 reinstated licenses, probationary licenses issued under s. 343.085 and original  
22 licenses other than instruction permits shall expire 2 years from the date of the  
23 applicant’s next birthday. All Subject to s. 343.125 (3), all other licenses and license  
24 endorsements shall expire 8 years after the date of issuance. The department may  
25 institute any system of initial license issuance which it deems advisable for the

1 purpose of gaining a uniform rate of renewals. In order to put such a system into  
2 operation, the department may issue licenses which are valid for any period less than  
3 the ordinary effective period of such license. If the department issues a license that  
4 is valid for less than the ordinary effective period as authorized by this paragraph,  
5 the fees due under s. 343.21 (1) (a), (b) and (d) shall be prorated accordingly.

6 **SECTION 2554g.** 343.20 (2) of the statutes is renumbered 343.20 (2) (a) and  
7 amended to read:

8 343.20 (2) (a) The department shall mail to the last-known address of a  
9 licensee at least 30 days prior to the expiration of the license a notice of the date upon  
10 which such the license must be renewed.

11 (c) Failure to receive notice to renew such a license or endorsement shall not  
12 be a defense to a charge of operating a motor vehicle without a valid operator's license  
13 or endorsement.

14 **SECTION 2554h.** 343.20 (2) (b) of the statutes is created to read:

15 343.20 (2) (b) Notwithstanding par. (a), at least 180 days prior to the expiration  
16 of an "H" endorsement specified in s. 343.17 (3) (d) 1m., the department of  
17 transportation shall mail a notice to the last-known address of the licensee that the  
18 licensee is required to pass a security threat assessment screening by the federal  
19 transportation security administration of the federal department of homeland  
20 security as part of the application to renew the endorsement. The notice shall inform  
21 the licensee that the licensee may commence the federal security threat assessment  
22 screening at any time, but no later than 90 days before expiration of the  
23 endorsement.

24 **SECTION 2554i.** 343.20 (2m) of the statutes is amended to read:

j  
k

1           343.20 (2m) The department shall include with the notice that it mails under  
2 sub. (2) information regarding the requirements of s. 347.48 (4); and information, as  
3 developed by all organ procurement organizations in cooperation with the  
4 department, that promotes anatomical donations and which relates to the  
5 anatomical donation opportunity available under s. 343.175; ~~and, for licensees aged~~  
6 ~~65 years or older, material, as provided by the department, explaining the voluntary~~  
7 ~~program that is specified in s. 71.55 (10) (b).~~

8           **SECTION 2555.** 343.22 (2) (b) of the statutes is amended to read:

9           343.22 (2) (b) In lieu of applying for a duplicate license or identification card,  
10 notify the department in writing of his or her change of address. This paragraph does  
11 not apply to persons issued a commercial driver license ~~or a license labeled~~  
12 ~~“CDL-Occupational” as described in s. 343.03 (3) (b) and (e).~~

13           **SECTION 2555g.** 343.23 (1) (intro.) of the statutes is amended to read:

14           343.23 (1) (intro.) The department shall maintain a record of every application  
15 for license, permit, or endorsement received by it and of every suspension, revocation  
16 ~~and, cancellation, and disqualification~~ by the department and shall maintain  
17 suitable indexes containing:

18           **SECTION 2555m.** 343.23 (1) (c) of the statutes is amended to read:

19           343.23 (1) (c) The name of every person whose license or operating privilege has  
20 been suspended, revoked, or canceled, or who is disqualified, by the department and  
21 note thereon the reason for such action.

22           **SECTION 2555m.** 343.23 (2) (a) (intro.) of the statutes is amended to read:

23           343.23 (2) (a) (intro.) The department shall maintain a file for each licensee or  
24 other person containing the application for license, permit or endorsement, a record  
25 of reports or abstract of convictions, any notice received from the federal

1 transportation security administration concerning the person's eligibility for an "H"  
2 endorsement specified in s. 343.17 (3) (d) 1m., the status of the person's authorization  
3 to operate different vehicle groups, a record of any out-of-service orders issued  
4 under s. 343.305 (7) (b) or (9) (am) and a record of any reportable accident in which  
5 the person has been involved, including specification of any type of license and  
6 endorsements issued under this chapter under which the person was operating at  
7 the time of the accident and an indication whether or not the accident occurred in the  
8 course of any of the following:

9 **SECTION 2556.** 343.23 (2) (am) of the statutes is created to read:

10 343.23 (2) (am) 1. The file specified in par. (a) shall include the following:

11 a. For a person holding a commercial driver license issued by the department,  
12 a record of any disqualification by another jurisdiction of the person from operating  
13 a commercial motor vehicle for at least 60 days or of the revocation, suspension, or  
14 cancellation by another jurisdiction of the person's commercial driver license for at  
15 least 60 days, and the violation that resulted in the disqualification, revocation,  
16 suspension, or cancellation, as specified in any notice received from the other  
17 jurisdiction.

18 b. For a person holding a commercial driver license issued by the department,  
19 a record of any violation in another jurisdiction of any law of that jurisdiction,  
20 including any local law of that jurisdiction, or of any law of a federally recognized  
21 American Indian tribe or band in that jurisdiction, in conformity with any law of this  
22 state relating to motor vehicle traffic control, other than a parking violation, as  
23 specified in any notice received from that jurisdiction. The department shall record  
24 this information within 10 days after receipt of the notice.

1           c. For a person holding a commercial driver license issued by this state or  
2 another jurisdiction, a record of each violation, while operating any motor vehicle,  
3 of any state law or local ordinance of this state or any law of a federally recognized  
4 American Indian tribe or band in this state in conformity with any law of this state  
5 relating to motor vehicle traffic control, other than a parking violation. The  
6 department shall record the information under this subdivision within 10 days after  
7 the date of conviction.

8           2. In maintaining the department's file specified in subd. 1. and par. (a), the  
9 department may not conceal, withhold, or mask from the department's file, or  
10 otherwise allow in any way a person to avoid the department's recording in the  
11 department's file of, any information required to be recorded in the department's file  
12 under 49 CFR 384.225 and 384.226, regardless of whether the person has obtained  
13 deferral of imposition of judgment, been allowed to enter a diversion program, or  
14 otherwise obtained delayed or suspended judgment or alternative sentencing from  
15 a court.

16           **SECTION 2557.** 343.23 (2) (b) of the statutes is amended to read:

17           343.23 (2) (b) The information specified in ~~par. (a)~~ par. (a) and (am) must be filed  
18 by the department so that the complete operator's record is available for the use of  
19 the secretary in determining whether operating privileges of such person shall be  
20 suspended, revoked, canceled, or withheld, or the person disqualified, in the interest  
21 of public safety. The record of suspensions, revocations, and convictions that would  
22 be counted under s. 343.307 (2) shall be maintained permanently. The record of  
23 convictions for disqualifying offenses under s. 343.315 (2) (h) shall be maintained for  
24 at least 10 years. The record of convictions for disqualifying offenses under s.  
25 343.315 (2) (f) and (j), and all records specified in par. (am), shall be maintained for



1 at least 3 years. The record of convictions for disqualifying offenses under s. 343.315  
2 (2) (a) to (e) shall be maintained permanently, except that 5 years after a licensee  
3 transfers residency to another state such record may be transferred to another state  
4 of licensure of the licensee if that state accepts responsibility for maintaining a  
5 permanent record of convictions for disqualifying offenses. Such reports and records  
6 may be cumulative beyond the period for which a license is granted, but the secretary,  
7 in exercising the power of suspension granted under s. 343.32 (2) may consider only  
8 those reports and records entered during the 4-year period immediately preceding  
9 the exercise of such power of suspension.

10 **SECTION 2557g.** 343.245 (2) (a) 1. of the statutes is amended to read:

11 343.245 (2) (a) 1. ‘To state.’ A person, after applying for or receiving a  
12 commercial driver license issued by this state, who is convicted of violating in a motor  
13 vehicle any law of this state or local ordinance adopted in conformity therewith or  
14 a law enacted by a federally recognized American Indian tribe or band in this state  
15 which is in conformity with any law of this state, or the law of another jurisdiction,  
16 relating to motor vehicle traffic control, other than parking violations, shall notify  
17 the department of the conviction in the manner specified by the department within  
18 30 days after the date of conviction. Notwithstanding any other provision of law, a  
19 person who holds an “H” endorsement specified in s. 343.17 (3) (d) 1m. shall notify  
20 the department within 24 hours if the person is convicted, or found not guilty by  
21 reason of insanity, of any disqualifying felony criminal offense described in s. 343.14  
22 (2g) (a) 1., or adjudicated as a mental defective or committed to a mental institution.

23 **SECTION 2557i.** 343.265 (1r) of the statutes is created to read:

24 343.265 (1r) Notwithstanding sub. (1), the department shall accept the  
25 voluntary surrender of an “H” endorsement specified in s. 343.17 (3) (d) 1m. Upon

1 accepting the surrender, the department shall immediately cancel the endorsement  
2 if the licensee is not eligible for the endorsement. Following cancellation under this  
3 subsection, the department shall take the actions required in s. 343.125 (4) (a) and  
4 (b). Upon accepting the surrender from a person to whom the department would not  
5 be prohibited from issuing an “H” endorsement, the department may remove that  
6 endorsement from the licensee’s commercial driver license as a temporary surrender.  
7 The department may not issue an “H” endorsement to any person whose “H”  
8 endorsement is removed as a temporary surrender under this subsection unless the  
9 person applies for initial issuance of an “H” endorsement.

10 **SECTION 2557k.** 343.28 (1) of the statutes is amended to read:

11 343.28 (1) Whenever a person is convicted of a moving traffic violation under  
12 chs. 341 to 349 or under a local ordinance enacted under ch. 349, the clerk of the court  
13 in which the conviction occurred, or the justice, judge or magistrate of a court not  
14 having a clerk, shall, as provided in s. 345.48, forward to the department the record  
15 of such conviction. The record of conviction forwarded to the department shall state  
16 whether the offender was involved in an accident at the time of the offense, whether  
17 the offender was operating a commercial motor vehicle at the time of the offense and,  
18 if so, whether the offender was transporting hazardous materials requiring  
19 placarding or any quantity of a material listed as a select agent or toxin under 42 CFR  
20 73, or was operating a vehicle designed to carry, or actually carrying, 16 or more  
21 passengers, including the driver. Whenever a person is convicted of exceeding a  
22 posted speed limit, the record of conviction forwarded to the department shall  
23 include the number of miles per hour in excess of the posted speed limit.

24 **SECTION 2557m.** 343.28 (2) of the statutes is amended to read:

1           343.28 (2) Whenever a person is convicted of any offense for which s. 343.31  
2 makes mandatory the revocation by the secretary of such person's operating  
3 privilege, the court in which the conviction occurred shall require the surrender to  
4 it of any license then held by such person. The clerk of the court, or the justice, judge  
5 or magistrate if the court has no clerk, shall, as provided in s. 345.48, forward to the  
6 department the record of conviction and any surrendered licenses. The record of  
7 conviction forwarded to the department shall state whether the offender was  
8 involved in an accident at the time of the offense, whether the offender was operating  
9 a commercial motor vehicle at the time of the offense and, if so, whether the offender  
10 was transporting hazardous materials requiring placarding or any quantity of a  
11 material listed as a select agent or toxin under 42 CFR 73, or was operating a vehicle  
12 designed to carry, or actually carrying, 16 or more passengers, including the driver.

13           **SECTION 2558.** 343.307 (2) (d) of the statutes is amended to read:

14           343.307 (2) (d) Convictions under the law of another jurisdiction that is in  
15 substantial conformity with 49 CFR 383.51 (b) ~~(2) (i) or (ii) or both Table 1, items (1)~~  
16 ~~to (4).~~

17           **SECTION 2562.** 343.315 (2) (a) (intro.) of the statutes is amended to read:

18           343.315 (2) (a) (intro.) Except as provided in par. (b), a person shall be  
19 disqualified from operating a commercial motor vehicle for a one-year period upon  
20 a first conviction of any of the following offenses, committed on or after July 1, 1987,  
21 while driving or operating a commercial motor vehicle or committed on or after  
22 September 30, 2005, while driving or operating any motor vehicle:

23           **SECTION 2563.** 343.315 (2) (a) 7. of the statutes is created to read:

24           343.315 (2) (a) 7. Operating a commercial motor vehicle when the person's  
25 commercial driver license is revoked, suspended, or canceled based on the person's

1 operation of a commercial motor vehicle or when the person is disqualified from  
2 operating a commercial motor vehicle.

3 **SECTION 2564.** 343.315 (2) (a) 8. of the statutes is created to read:

4 343.315 (2) (a) 8. Causing a fatality through negligent or criminal operation  
5 of a commercial motor vehicle.

6 **SECTION 2564m.** 343.315 (2) (b) of the statutes is amended to read:

7 343.315 (2) (b) If any of the violations listed in par. (a) occurred in the course  
8 of transporting hazardous materials requiring placarding or any quantity of a  
9 material listed as a select agent or toxin under 42 CFR 73 on or after July 1, 1987,  
10 the person shall be disqualified from operating a commercial motor vehicle for a  
11 3–year period.

12 **SECTION 2565.** 343.315 (2) (e) of the statutes is amended to read:

13 343.315 (2) (e) A person is disqualified for life from operating a commercial  
14 motor vehicle if the person uses a commercial motor vehicle on or after July 1, 1987,  
15 or uses any motor vehicle on or after September 30, 2005, in the commission of a  
16 felony involving the manufacture, distribution, delivery or dispensing of a controlled  
17 substance or controlled substance analog, or possession with intent to manufacture,  
18 distribute, deliver or dispense a controlled substance or controlled substance analog.  
19 No person who is disqualified under this paragraph is eligible for reinstatement  
20 under par. (d).

21 **SECTION 2566.** 343.315 (2) (f) (intro.) of the statutes is amended to read:

22 343.315 (2) (f) (intro.) A person is disqualified for a period of 60 days from  
23 operating a commercial motor vehicle if convicted of 2 serious traffic violations, and  
24 120 days if convicted of 3 serious traffic violations, arising from separate occurrences  
25 committed within a 3–year period while driving or operating a commercial motor

1 vehicle or while driving or operating any motor vehicle if the person holds a  
2 commercial driver license. The 120-day period of disqualification under this  
3 paragraph shall be in addition to any other period of disqualification imposed under  
4 this paragraph. In this paragraph, “serious traffic violations” means any of the  
5 following offenses committed while operating a commercial motor vehicle, or any of  
6 the following offenses committed while operating any motor vehicle if the offense  
7 results in the revocation, cancellation, or suspension of the person’s operator’s  
8 license or operating privilege:

9 **SECTION 2567.** 343.315 (2) (f) 2. of the statutes is amended to read:

10 343.315 (2) (f) 2. Violating any state or local law of this state or any law of a  
11 federally recognized American Indian tribe or band in this state in conformity with  
12 any state law or any law of another jurisdiction relating to motor vehicle traffic  
13 control, arising in connection with a fatal accident, other than parking, vehicle  
14 weight or vehicle defect violations, or violations described in par. (a) 8.

15 **SECTION 2568.** 343.315 (2) (f) 6. of the statutes is created to read:

16 343.315 (2) (f) 6. Operating a commercial motor vehicle when the person has  
17 not obtained a commercial driver license.

18 **SECTION 2569.** 343.315 (2) (f) 7. of the statutes is created to read:

19 343.315 (2) (f) 7. Operating a commercial motor vehicle when the person does  
20 not have in his or her immediate possession the person’s commercial driver license  
21 document, including any special restrictions cards issued under s. 343.10 (7) (d) or  
22 343.17 (4), unless the person produces in court or in the office of the law enforcement  
23 officer that issued the citation, by the date that the person must appear in court or  
24 pay any fine or forfeiture with respect to the citation, a commercial driver license

1 document issued to the person prior to the date of the citation and valid at the time  
2 of the citation.

3 **SECTION 2570.** 343.315 (2) (f) 8. of the statutes is created to read:

4 343.315 (2) (f) 8. Operating a commercial motor vehicle without the proper  
5 class of commercial driver license or endorsements for the specific vehicle group  
6 being operated or for the passengers or type of cargo being transported.

7 **SECTION 2570m.** 343.315 (2) (h) of the statutes is amended to read:

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

17 **SECTION 2570m.** 343.315 (2) (i) of the statutes is amended to read:

18 343.315 (2) (i) If the violation listed in par. (h) occurred in the course of  
19 transporting hazardous materials requiring placarding or any quantity of a material  
20 listed as a select agent or toxin under 42 CR 73, or while operating a vehicle designed  
21 to carry, or actually carrying, 16 or more passengers, including the driver, the person  
22 shall be disqualified from operating a commercial motor vehicle for 180 days upon  
23 a first conviction, or for a 3-year period for a 2nd or subsequent conviction, arising  
24 from separate occurrences committed within a 10-year period while driving or

1 operating a commercial motor vehicle. A disqualification under this paragraph shall  
2 be in addition to any penalty imposed under s. 343.44.

3 **SECTION 2571.** 343.315 (2) (k) of the statutes is created to read:

4 343.315 (2) (k) A person disqualified by federal authorities under 49 USC  
5 31310 (f) and 49 CFR 383.52 on the basis that the person's continued operation of a  
6 commercial motor vehicle would create an imminent hazard, as defined in 49 USC  
7 5102 and 49 CFR 383.5, is disqualified from operating a commercial motor vehicle  
8 for the period of disqualification determined by the federal authority upon receipt by  
9 the department of the notice of disqualification provided for in 49 CFR 383.52 (d).

10 **SECTION 2571y.** 343.44 (1) (c) of the statutes is amended to read:

11 343.44 (1) (c) *Operating while ordered out-of-service.* No person may operate  
12 a commercial motor vehicle while the person or the commercial motor vehicle is  
13 ordered out-of-service under state or federal law.

14 **SECTION 2572.** 343.44 (1) (d) of the statutes is amended to read:

15 343.44 (1) (d) *Operating while disqualified.* No person may operate a  
16 commercial motor vehicle while disqualified under s. 343.315 or 49 CFR 383.51,  
17 under the law of another jurisdiction or Mexico that provides for disqualification of  
18 commercial drivers in a manner similar to 49 CFR 383.51, or under a determination  
19 by the federal highway motor carrier safety administration under the federal rules  
20 of practice for motor carrier safety contained in 49 CFR 386 that the person is no  
21 longer qualified to operate a vehicle under 49 CFR 391.

22 **SECTION 2573.** 343.44 (2) (b) (intro.) of the statutes is amended to read:

23 343.44 (2) (b) (intro.) Except as provided in par. (am), any person who violates  
24 sub. (1) (b), ~~(e)~~ or (d) shall be fined not more than \$2,500 or imprisoned for not more  
25 than one year in the county jail or both. In imposing a sentence under this

1 paragraph, or a local ordinance in conformity with this paragraph, the court shall  
2 review the record and consider the following:

3 **SECTION 2574.** 343.44 (2) (bm) of the statutes is created to read:

4 343.44 (2) (bm) Any person who violates sub. (1) (c) shall be fined not less than  
5 \$1,100 nor more than \$2,750 or imprisoned for not more than one year in the county  
6 jail or both. In imposing a sentence under this paragraph, the court shall review the  
7 record and consider the factors specified in par. (b) 1. to 5.

8 **SECTION 2574h.** 343.50 (4) of the statutes is amended to read:

9 343.50 (4) APPLICATION. The application for an identification card shall include  
10 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), and  
11 (em), and such further information as the department may reasonably require to  
12 enable it to determine whether the applicant is entitled by law to an identification  
13 card, ~~and, for applicants who are aged 65 years or older, material, as provided by the~~  
14 ~~department, explaining the voluntary program that is specified in s. 71.55 (10) (b).~~  
15 The department shall, as part of the application process, take a photograph of the  
16 applicant to comply with sub. (3). No application may be processed without the  
17 photograph being taken. Misrepresentations in violation of s. 343.14 (5) are  
18 punishable as provided in s. 343.14 (9).

19 **SECTION 2575.** 344.185 (2) (e) 2. of the statutes is amended to read:

20 344.185 (2) (e) 2. All other proceeds of the sale remaining after the payments  
21 under subd. 1. shall be retained by the secretary of transportation and applied as  
22 security for payment of judgments and assignments as provided under s. 344.20 (2).  
23 Any amounts not used to pay judgments or assignments shall be transmitted to the  
24 ~~state treasurer~~ secretary of administration for deposit in the school fund.

25 **SECTION 2579.** 345.08 of the statutes is amended to read:



1           **345.08 Suit to recover protested tax or fee.** No suit shall be maintained  
2 in any court to restrain or delay the collection or payment of the taxes levied or the  
3 fees imposed or enacted in chs. 341 to 349. The aggrieved taxpayer shall pay the tax  
4 or fee as and when due and, if paid under protest, may at any time within 90 days  
5 from the date of such payment sue the state in an action at law to recover the tax or  
6 fee so paid. If it is finally determined that such tax or fee or any part thereof was  
7 wrongfully collected for any reason, the ~~department~~ secretary of administration  
8 shall ~~issue a warrant on the state treasurer for pay from the transportation fund~~ the  
9 amount of such tax or fee so adjudged to have been wrongfully collected ~~and the state~~  
10 ~~treasurer shall pay the same out of the transportation fund.~~ A separate suit need not  
11 be filed for each separate payment made by any taxpayer, but a recovery may be had  
12 in one suit for as many payments as were made within the 90-day period preceding  
13 the commencement of the action. Such suits shall be commenced as provided in s.  
14 775.01.

15           **SECTION 2579m.** 345.11 (2m) (b) of the statutes is amended to read:

16           345.11 (2m) (b) Whether the vehicle was transporting hazardous materials  
17 requiring placarding or any quantity of a material listed as a select agent or toxin  
18 under 42 CFR 73.

19           **SECTION 2580.** 346.177 (3) of the statutes is amended to read:

20           346.177 (3) If any deposit is made for an offense to which this section applies,  
21 the person making the deposit shall also deposit a sufficient amount to include the  
22 railroad crossing improvement assessment under this section. If the deposit is  
23 forfeited, the amount of the railroad crossing improvement assessment shall be  
24 transmitted to the ~~state treasurer~~ secretary of administration under sub. (4). If the

1 deposit is returned, the amount of the railroad crossing improvement assessment  
2 shall also be returned.

3 **SECTION 2581.** 346.177 (4) of the statutes is amended to read:

4 346.177 (4) The clerk of the circuit court shall collect and transmit to the county  
5 treasurer the railroad crossing improvement assessment as required under s. 59.40  
6 (2) (m). The county treasurer shall then pay the ~~state treasurer~~ secretary of  
7 administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~ secretary of  
8 administration shall deposit all amounts received under this subsection in the  
9 transportation fund to be appropriated under s. 20.395 (2) (gj).

10 **SECTION 2583.** 346.495 (3) of the statutes is amended to read:

11 346.495 (3) If any deposit is made for an offense to which this section applies,  
12 the person making the deposit shall also deposit a sufficient amount to include the  
13 railroad crossing improvement assessment under this section. If the deposit is  
14 forfeited, the amount of the railroad crossing improvement assessment shall be  
15 transmitted to the ~~state treasurer~~ secretary of administration under sub. (4). If the  
16 deposit is returned, the amount of the railroad crossing improvement assessment  
17 shall also be returned.

18 **SECTION 2584.** 346.495 (4) of the statutes is amended to read:

19 346.495 (4) The clerk of the circuit court shall collect and transmit to the county  
20 treasurer the railroad crossing improvement assessment as required under s. 59.40  
21 (2) (m). The county treasurer shall then pay the ~~state treasurer~~ secretary of  
22 administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~ secretary of  
23 administration shall deposit all amounts received under this subsection in the  
24 transportation fund to be appropriated under s. 20.395 (2) (gj).

25 **SECTION 2588.** 346.65 (4r) (c) of the statutes is amended to read:

1           346.65 (4r) (c) If any deposit is made for an offense to which this subsection  
2 applies, the person making the deposit shall also deposit a sufficient amount to  
3 include the railroad crossing improvement assessment under this subsection. If the  
4 deposit is forfeited, the amount of the railroad crossing improvement assessment  
5 shall be transmitted to the ~~state treasurer~~ secretary of administration under par. (d).  
6 If the deposit is returned, the amount of the railroad crossing improvement  
7 assessment shall also be returned.

8           **SECTION 2589.** 346.65 (4r) (d) of the statutes is amended to read:

9           346.65 (4r) (d) The clerk of the circuit court shall collect and transmit to the  
10 county treasurer the railroad crossing improvement assessment as required under  
11 s. 59.40 (2) (m). The county treasurer shall then pay the ~~state treasurer~~ secretary  
12 of administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~ secretary of  
13 administration shall deposit all amounts received under this paragraph in the  
14 transportation fund to be appropriated under s. 20.395 (2) (gj).

15           **SECTION 2590.** 346.655 (2) (a) of the statutes is amended to read:

16           346.655 (2) (a) Except as provided in par. (b), the clerk of court shall collect and  
17 transmit the amount under sub. (1) to the county treasurer as provided in s. 59.40  
18 (2) (m). The county treasurer shall then make payment of 38.5% of the amount to  
19 the ~~state treasurer~~ secretary of administration as provided in s. 59.25 (3) (f) 2.

20           **SECTION 2591.** 346.655 (2) (b) of the statutes is amended to read:

21           346.655 (2) (b) If the forfeiture is imposed by a municipal court, the court shall  
22 transmit the amount to the treasurer of the county, city, town, or village, and that  
23 treasurer shall make payment of 38.5% of the amount to the ~~state treasurer~~  
24 secretary of administration as provided in s. 66.0114 (1) (bm). The treasurer of the

1 city, town, or village shall transmit the remaining 61.5% of the amount to the  
2 treasurer of the county.

3 **SECTION 2592.** 346.655 (3) of the statutes is amended to read:

4 346.655 (3) All moneys collected from the driver improvement surcharge that  
5 are transmitted to the county treasurer under sub. (2) (a) or (b), except the amounts  
6 that the county treasurer is required to transmit to the ~~state treasurer~~ secretary of  
7 administration under sub. (2) (a) or (b), shall be retained by the county treasurer and  
8 disbursed to the county department under s. 51.42 for services under s. 51.42 for  
9 drivers referred through assessment.

10 **SECTION 2594.** 348.25 (8) (a) 1. of the statutes is amended to read:

11 348.25 (8) (a) 1. For a vehicle or combination of vehicles which exceeds length  
12 limitations, \$15, except that if the application for a permit for a vehicle described in  
13 this subdivision is submitted to the department after December 31, 1999, and before  
14 July 1, 2003 2005, the fee is \$17.

15 **SECTION 2595.** 348.25 (8) (a) 2. of the statutes is amended to read:

16 348.25 (8) (a) 2. For a vehicle or combination of vehicles which exceeds either  
17 width limitations or height limitations, \$20, except that if the application for a  
18 permit for a vehicle described in this subdivision is submitted to the department  
19 after December 31, 1999, and before July 1, 2003 2005, the fee is \$22.

20 **SECTION 2596.** 348.25 (8) (a) 2m. of the statutes is amended to read:

21 348.25 (8) (a) 2m. For a vehicle or combination of vehicles which exceeds both  
22 width and height limitations, \$25, except that if the application for a permit for a  
23 vehicle described in this subdivision is submitted to the department after  
24 December 31, 1999, and before July 1, 2003 2005, the fee is \$28.

25 **SECTION 2597.** 348.25 (8) (b) 1. of the statutes is amended to read:

1           348.25 (8) (b) 1. For a vehicle or combination of vehicles which exceeds length  
2 limitations, \$60, except that if the application for a permit for a vehicle described in  
3 this subdivision is submitted to the department after December 31, 1999, and before  
4 July 1, ~~2003~~ 2005, the fee is \$66.

5           **SECTION 2598.** 348.25 (8) (b) 2. of the statutes is amended to read:

6           348.25 (8) (b) 2. For a vehicle or combination of vehicles which exceeds width  
7 limitations or height limitations or both, \$90, except that if the application for a  
8 permit for a vehicle described in this subdivision is submitted to the department  
9 after December 31, 1999, and before July 1, ~~2003~~ 2005, the fee is \$99.

10          **SECTION 2599.** 348.25 (8) (b) 3. a. of the statutes is amended to read:

11          348.25 (8) (b) 3. a. If the gross weight is 90,000 pounds or less, \$200, except that  
12 if the application for a permit for a vehicle described in this subd. 3. a. is submitted  
13 to the department after December 31, 1999, and before July 1, ~~2003~~ 2005, the fee is  
14 \$220.

15          **SECTION 2600.** 348.25 (8) (b) 3. b. of the statutes is amended to read:

16          348.25 (8) (b) 3. b. If the gross weight is more than 90,000 pounds but not more  
17 than 100,000 pounds, \$350, except that if the application for a permit for a vehicle  
18 described in this subd. 3. b. is submitted to the department after December 31, 1999,  
19 and before July 1, ~~2003~~ 2005, the fee is \$385.

20          **SECTION 2601.** 348.25 (8) (b) 3. c. of the statutes is amended to read:

21          348.25 (8) (b) 3. c. If the gross weight is greater than 100,000 pounds, \$350 plus  
22 \$100 for each 10,000–pound increment or fraction thereof by which the gross weight  
23 exceeds 100,000 pounds, except that if the application for a permit for a vehicle  
24 described in this subd. 3. c. is submitted to the department after December 31, 1999,

1 and before July 1, 2003 2005, the fee is \$385 plus \$110 for each 10,000–pound  
2 increment or fraction thereof by which the gross weight exceeds 100,000 pounds.

3 **SECTION 2602.** 348.25 (8) (bm) 1. of the statutes is amended to read:

4 348.25 (8) (bm) 1. Unless a different fee is specifically provided, the fee for a  
5 consecutive month permit is one–twelfth of the fee under par. (b) for an annual  
6 permit times the number of months for which the permit is desired, plus \$15 for each  
7 permit issued. This subdivision does not apply to applications for permits submitted  
8 after December 31, 1999, and before July 1, 2003 2005.

9 **SECTION 2603.** 348.25 (8) (bm) 2. of the statutes is amended to read:

10 348.25 (8) (bm) 2. Unless a different fee is specifically provided, the fee for a  
11 consecutive month permit is one–twelfth of the fee under par. (b) for an annual  
12 permit times the number of months for which the permit is desired, plus \$16.50 for  
13 each permit issued, rounded to the nearest whole dollar. This subdivision does not  
14 apply to applications submitted before January 1, 2000, or submitted after  
15 June 30, 2003 2005.

16 **SECTION 2604.** 348.25 (8) (e) of the statutes is amended to read:

17 348.25 (8) (e) The officer or agency authorized to issue a permit under s. 348.26  
18 or 348.27 may require any applicant for a permit under s. 348.26 or 348.27 to pay the  
19 cost of any special investigation undertaken to determine whether a permit should  
20 be approved or denied and to pay an additional fee of \$5 established by the  
21 department by rule per permit if a department telephone call–in procedure or  
22 Internet procedure is used. The fee shall approximate the cost to the department for  
23 providing this service to persons so requesting.

24 **SECTION 2605.** 349.04 (3) of the statutes is amended to read:

1           349.04 (3) If any deposit is made for an offense to which this section applies,  
2 the person making the deposit shall also deposit a sufficient amount to include the  
3 truck driver education assessment under this section. If the deposit is forfeited, the  
4 amount of the truck driver education assessment shall be transmitted to the state  
5 ~~treasurer~~ secretary of administration under sub. (4). If the deposit is returned, the  
6 amount of the truck driver education assessment shall also be returned.

7           **SECTION 2606.** 349.04 (4) of the statutes is amended to read:

8           349.04 (4) The clerk of the circuit court shall collect and transmit to the county  
9 treasurer the truck driver education assessment as required under s. 59.40 (2) (m).  
10 The county treasurer shall then pay the ~~state treasurer~~ secretary of administration  
11 as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~ secretary of administration shall  
12 deposit all amounts received under this subsection in the general fund to be credited  
13 to the appropriation account under s. 20.292 (1) (hm).

14           **SECTION 2607.** 350.115 (1) (c) of the statutes is amended to read:

15           350.115 (1) (c) If any deposit is made for an offense to which this section applies,  
16 the person making the deposit shall also deposit a sufficient amount to include the  
17 snowmobile registration restitution payment prescribed in this section. If the  
18 deposit is forfeited, the amount of the snowmobile registration restitution payment  
19 shall be transmitted to the ~~state treasurer~~ secretary of administration under par. (d).  
20 If the deposit is returned, the snowmobile registration restitution payment shall also  
21 be returned.

22           **SECTION 2608.** 350.115 (1) (d) of the statutes is amended to read:

23           350.115 (1) (d) The clerk of the court shall collect and transmit to the county  
24 treasurer the snowmobile registration restitution payment and other amounts

1 required under s. 59.40 (2) (m). The county treasurer shall then make payment to  
2 the ~~state treasurer~~ secretary of administration as provided in s. 59.25 (3) (f) 2.

3 **SECTION 2608m.** 350.12 (4) (b) (intro.) of the statutes is amended to read:

4 350.12 (4) (b) *Trail aids and related costs.* (intro.) The moneys appropriated  
5 under s. 20.370 (1) (mq) and (5) (cb), ~~(ck)~~, (cr), (cs), and (cw) shall be used for  
6 development and maintenance, the cooperative snowmobile sign program, major  
7 reconstruction or rehabilitation to improve bridges on existing approved trails, trail  
8 rehabilitation, signing of snowmobile routes, and state snowmobile trails and areas  
9 and distributed as follows:

10 **SECTION 2616.** 351.07 (1g) of the statutes is amended to read:

11 351.07 (1g) No person may file a petition for an occupational license under sub.  
12 (1) unless he or she first pays a fee of \$40 to the clerk of the circuit court. The clerk  
13 of the circuit court shall give the person a receipt and forward the fee to the county  
14 treasurer. That treasurer shall pay 50% of the fee to the ~~state treasurer~~ secretary  
15 of administration under s. 59.25 (3) (m) and retain the balance for the use of the  
16 county.

17 **SECTION 2618.** 552.23 (1) of the statutes is amended to read:

18 552.23 (1) If the target company is an insurance company subject to regulation  
19 by the commissioner of insurance, a banking corporation ~~subject to regulation by the~~  
20 ~~division of banking, a~~, savings bank, or savings and loan association subject to  
21 regulation by the division of ~~savings institutions~~ banking, or a company subject to  
22 regulation by the public service commission, the department of transportation, or the  
23 office of the commissioner of railroads, the division of securities shall promptly  
24 furnish a copy of the registration statement filed under this chapter to the regulatory  
25 agency having supervision of the target company. Any hearing under this chapter



1 involving any such target company shall be held jointly with the regulatory agency  
2 having supervision, and any determination following the hearing shall be made  
3 jointly with that regulatory agency.

4 **SECTION 2618t.** 560.031 of the statutes is repealed.

5 **SECTION 2619.** 560.045 (1) of the statutes is amended to read:

6 560.045 (1) ~~Notwithstanding s. 16.54 (2) (a), from moneys received under a~~  
7 ~~community development block grant, 42 USC 5301 to 5320, the department shall~~  
8 ~~contract with the department of administration for the administration of housing~~  
9 ~~programs, including the housing improvement grant program and the initial~~  
10 ~~rehabilitation grant program.~~ To the extent allowed under federal law or regulation,  
11 the department shall give priority in the awarding of grants under the housing  
12 programs to grants for projects related to the redevelopment of brownfields, as  
13 defined in s. 560.60 (1v).

14 **SECTION 2624d.** 560.25 (2) (intro.) of the statutes, as affected by 2001  
15 Wisconsin Act 16, is amended to read:

16 560.25 (2) GRANTS. (intro.) Subject to sub. (4), the department may make a  
17 grant from the appropriation under s. ~~20.143 (1) (k)~~ s. 20.143 (1) (f) to a  
18 technology-based nonprofit organization to provide support for a manufacturing  
19 extension center if all of the following apply:

20 **SECTION 2628.** 560.62 (2m) of the statutes is repealed.

21 **SECTION 2628m.** <sup>c</sup> 560.795 (3) (a) 4. and 5. of the statutes are consolidated,  
22 renumbered 560.795 (3) (a) 4. and amended to read:

23 560.795 (3) (a) 4. Any person that is conducting or that intends to conduct  
24 economic activity in a development opportunity zone under sub. (1) (e) ~~and that, in~~  
25 ~~conjunction with the local governing body of the city in which the development~~

1 ~~opportunity zone is located, submits a project plan as described in par. (b) to the~~  
2 ~~department shall be entitled to claim tax benefits while the area is designated as a~~  
3 ~~development opportunity zone. 5. Any corporation that is conducting or that intends~~  
4 ~~to conduct economic activity in a development opportunity zone under sub. (1) or (f)~~  
5 and that, in conjunction with the local governing body of the city in which the  
6 development opportunity zone is located, submits a project plan as described in par.  
7 (b) to the department shall be entitled to claim tax benefits while the area is  
8 designated as a development opportunity zone.

9 **SECTION 2628fd.** 560.80 (4) of the statutes is amended to read:

10 560.80 (4) “Eligible development project costs” means costs that, in accordance  
11 with sound business and financial practices, are appropriately incurred in  
12 connection with a development project ~~or a recycling development project~~, but does  
13 not include entertainment expenses or expenses incurred more than 6 months before  
14 the board approves a grant or loan under s. 560.83 ~~or 560.835~~.

15 **SECTION 2628ff.** 560.80 (5) of the statutes is amended to read:

16 560.80 (5) “Eligible recipient” means a person who is eligible to receive a grant  
17 under s. 560.82 (5) (a) or 560.837 or a grant or loan under s. 560.83 (5) (a) or (b) ~~or~~  
18 ~~560.835~~.

19 **SECTION 2628fh.** 560.80 (11) of the statutes is amended to read:

20 560.80 (11) “Project” means a development project, ~~a recycling development~~  
21 ~~project~~, an early planning project, a finance project, an education and training  
22 project or a revolving fund project.

23 **SECTION 2628fj.** 560.80 (12) of the statutes is repealed.

24 **SECTION 2628fL.** 560.81 (2) of the statutes is amended to read:

1           560.81 (2) The board awards a grant or loan to the eligible recipient or local  
2 development corporation under ss. 560.83 (1) and 560.84 or to the eligible recipient  
3 under ~~ss. 560.835 and s. 560.84.~~

4           **SECTION 2628fn.** 560.81 (3) of the statutes is amended to read:

5           560.81 (3) The board awards a grant or loan to the local development  
6 corporation under s. 560.83 (2) ~~or 560.835.~~

7           **SECTION 2628fp.** 560.82 (2) (intro.) of the statutes is amended to read:

8           560.82 (2) (intro.) The department may not award a grant under sub. (1) ~~or s.~~  
9 ~~560.835 (6)~~ unless the eligible recipient submits an application, in a form required  
10 by the department, that contains or describes all of the following:

11           **SECTION 2628fr.** 560.82 (3) (intro.) of the statutes is amended to read:

12           560.82 (3) (intro.) An eligible recipient who receives a grant under sub. (1) or  
13 s. 560.835 (6), 2001 stats., may only use the proceeds of the grant for the following  
14 purposes:

15           **SECTION 2628ft.** 560.82 (4) (b) of the statutes is amended to read:

16           560.82 (4) (b) Award, to any one eligible recipient or for any one early planning  
17 project, grants under sub. (1) ~~or s. 560.835 (6)~~ that total more than \$15,000.

18           **SECTION 2628fv.** 560.82 (5) (a) of the statutes is amended to read:

19           560.82 (5) (a) The department may only award grants under sub. (1) ~~or s.~~  
20 ~~560.835 (6)~~ to individuals who are minority group members and residents of this  
21 state.

22           **SECTION 2628gd.** 560.835 of the statutes is repealed.

23           **SECTION 2628gf.** 560.84 (1) (b) 1. of the statutes is amended to read:

24           560.84 (1) (b) 1. If an early planning project under s. 560.82 ~~or 560.835 (6)~~, that  
25 the project will increase employment in this state.

## SECTION #5

1           **SECTION 2628gh.** 560.84 (1) (b) 2. of the statutes is amended to read:

2           560.84 (1) (b) 2. If a development project ~~or recycling development project~~, that  
3 the project will retain or increase employment in this state.

4           **SECTION 2628gj.** 560.84 (1) (e) 1. of the statutes is amended to read:

5           560.84 (1) (e) 1. For grants funding early planning projects under s. 560.82 ~~or~~  
6 560.835 (6), not less than 25% of the cost of the project. Up to 50% of the contribution  
7 under this subdivision may be in the form of the in-kind services of a qualified 3rd  
8 party or qualified 3rd parties. The department shall determine what services may  
9 be used as in-kind contributions and whether a 3rd party is qualified, for purposes  
10 of this subdivision.

11           **SECTION 2628gL.** 560.84 (1) (e) 2. of the statutes is amended to read:

12           560.84 (1) (e) 2. For grants and loans funding development projects ~~or recycling~~  
13 ~~development projects~~, a cash contribution of not less than 25% of the cost of the  
14 project.

15           **SECTION 2628gn.** 560.84 (1) (f) of the statutes is amended to read:

16           560.84 (1) (f) That the project meets all criteria set forth in s. 560.82, 560.83,  
17 560.835 or 560.837, whichever is appropriate.

18           **SECTION 2628gp.** 560.84 (1) (j) of the statutes is amended to read:

19           560.84 (1) (j) If a development project, ~~recycling development project~~, finance  
20 project, or education and training project, that funds from the grant or loan will not  
21 be used to refinance existing debt.

22           **SECTION 2628gr.** 560.84 (2) (a) 1. of the statutes is amended to read:

23           560.84 (2) (a) 1. If an early planning project under s. 560.82 ~~or 560.835 (6)~~, the  
24 extent to which the project will increase employment in this state.

25           **SECTION 2628gt.** 560.84 (2) (a) 2. of the statutes is amended to read:

1           560.84 (2) (a) 2. If a development project ~~or recycling development project~~, the  
2 extent to which the project will retain or increase employment in this state.

3           **SECTION 2628gv.** 560.84 (2) (c) (intro.) of the statutes is amended to read:

4           560.84 (2) (c) (intro.) If a development project ~~or recycling development project~~,  
5 whether the project will be located in any or all of the following:

6           **SECTION 2628gx.** 560.84 (2) (f) of the statutes is amended to read:

7           560.84 (2) (f) If a development project ~~or recycling development project~~, the  
8 financial soundness of the minority business involved in the project and the  
9 commitment of the eligible recipient to repay the loan or grant.

10          **SECTION 2628hd.** 560.85 (2) of the statutes is amended to read:

11          560.85 (2) The board shall develop a policy governing the repayment of grants  
12 and loans made under s. 560.83 ~~or 560.835~~. The board or department shall deposit  
13 moneys received in repayment of grants and loans under s. 560.83 in the  
14 appropriation under s. 20.143 (1) (im).

15          **SECTION 2628hf.** 560.85 (3) (a) of the statutes is amended to read:

16          560.85 (3) (a) Develop procedures to evaluate applications and monitor project  
17 performance for grants awarded for early planning projects under s. 560.82 or s.  
18 560.835 (6), 2001 stats.

19          **SECTION 2628hh.** 560.85 (3) (b) of the statutes is amended to read:

20          560.85 (3) (b) Develop procedures, with the approval of the board, to evaluate  
21 applications, monitor project performance and audit grants and loans awarded for  
22 development projects under s. 560.83, ~~recycling development projects~~ under s.  
23 560.835, 2001 stats., and finance projects and education and training projects under  
24 s. 560.837.

25          **SECTION 2628m.** 560.87 (6) of the statutes is repealed.