

2003 ASSEMBLY BILL 471

AN ACT *to amend* 60.557, 61.65 (8) and 62.13 (8) of the statutes; **relating to:**
procedures that towns and certain cities and villages must follow to be
reimbursed for fire calls on highways.

Analysis by the Legislative Reference Bureau

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

1 **SECTION 1.** 60.557 of the statutes is amended to read:
2 **60.557 Reimbursement for fire calls on highways. (1)** If a town incurs
3 costs for a fire call by responding to a vehicle fire on a county trunk highway, the
4 county maintaining that portion of the highway where the vehicle was located at the
5 time of the fire shall reimburse the town up to \$200 for the costs if the town submits
6 written proof that the town has made a reasonable effort to collect the cost from the
7 insurer of the person to whom the fire call was provided or from the person to whom

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1 the fire call was provided, except that the town may attempt to collect the cost from
2 the person only if the town is unsuccessful in its efforts to collect from the person's
3 insurer or if the person has no insurer. If the town collects the cost from an insurer
4 or such person after the county reimburses the town, the town shall return the
5 amount collected to the county.

6 **(2)** If a town incurs costs for a fire call on a state trunk highway or any highway
7 that is a part of the national system of interstate highways and maintained by the
8 department of transportation, the department of transportation shall reimburse the
9 town up to \$500 for the costs, even if the fire equipment is not actually used, if the
10 town submits written proof that the town has made a reasonable effort to collect the
11 cost from the insurer of the person to whom the fire call was provided or from the
12 person to whom the fire call was provided, except that the town may attempt to
13 collect the cost from the person only if the town is unsuccessful in its efforts to collect
14 from the person's insurer or if the person has no insurer. If the town collects the cost
15 from an insurer or such person after the department reimburses the town, the town
16 shall return the amount collected to the department.

17 **SECTION 2.** 61.65 (8) of the statutes is amended to read:

18 61.65 **(8)** Any village having a volunteer fire department shall be reimbursed
19 by the department of transportation not to exceed \$500 for any fire call on a state
20 trunk highway or any highway that is a part of the national system of interstate
21 highways maintained by the department of transportation if the village submits
22 written proof that the village has made a reasonable effort to collect the cost from the
23 insurer of the person to whom the fire call was provided or from the person to whom
24 the fire call was provided, except that the village may attempt to collect the cost from
25 the person only if the village is unsuccessful in its efforts to collect from the person's

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1 insurer or if the person has no insurer. If the village collects the cost from an insurer
2 or such person after the department reimburses the village, the village shall return
3 the amount collected to the department.

4 **SECTION 3.** 62.13 (8) of the statutes is amended to read:

5 62.13 (8) FIRE DEPARTMENT. The council may provide by ordinance for either a
6 paid or a volunteer fire department and for the management and equipment of either
7 insofar as not otherwise provided for by law. In the case where a combination of paid
8 and volunteer fire department is provided for, such city shall be reimbursed by the
9 department of transportation, not to exceed \$500 for any fire calls on a state trunk
10 highway or on any highway that is a part of the national system of interstate
11 highways and is maintained by the department of transportation if the city submits
12 written proof that the city has made a reasonable effort to collect the cost from the
13 insurer of the person to whom the fire call was provided or from the person to whom
14 the fire call was provided, except that the city may attempt to collect the cost from
15 the person only if the city is unsuccessful in its efforts to collect from the person's
16 insurer or if the person has no insurer. If the city collects the cost from an insurer
17 or such person after the department reimburses the city, the city shall return the
18 amount collected to the department.

19 **SECTION 4. Initial applicability.**

20 (1) This act first applies to fire calls that occur on the effective date of this
21 subsection.

22 (END)