

SENATE BILL 436 (LRB -1801)

An Act to amend 110.20 (6) (a) 1. and 110.20 (6) (a) 3. of the statutes; relating to: motor vehicle emission inspections. (FE) 2004

02-16.	S.	Introduced by Senators Leibham, Lazich, Reynolds, Kanavas, Welch and Stepp ; cosponsored by Representatives Kerkman, Kestell, M. Lehman, Vukmir, Ott, Ainsworth, Gottlieb, Ladwig, Hahn, Nischke, Nass, Jeskewitz, McCormick, Jensen, Gundrum, Van Akkeren, LeMahieu, Krawczyk, Vrakas and Gunderson.	
02-09.	S.	Read first time and referred to committee on Transportation and Information Infrastructure	607
02-11.	S.	Fiscal estimate received.	
02-16.	S.	Fiscal estimate received.	
03-03.	S.	Executive action taken.	
03-03.	S.	Report introduction and adoption of Senate Amendment 1 recommended by committee on Transportation and Information Infrastructure, Ayes 5, Noes 0 (LRB a2208)	660
03-03.	S.	Report passage as amended recommended by committee on Transportation and Information Infrastructure, Ayes 4, Noes 1	660
03-03.	S.	Available for scheduling.	
03-03.	S.	Placed on calendar 3-4-2004 by committee on Senate Organization.	
03-04.	S.	Read a second time	670
03-04.	S.	Senate amendment 1 adopted	670
03-04.	S.	Senate amendment 2 offered by Senator Leibham (LRB a2562)	670
03-04.	S.	Senate amendment 2 adopted	670
03-04.	S.	Ordered to a third reading	670
03-04.	S.	Rules suspended	670
03-04.	S.	Read a third time and passed	670
03-04.	S.	Ordered immediately messaged	670
03-08.	A.	Received from Senate	804
03-08.	A.	Read first time and referred to committee on Rules	805
03-10.	A.	Rules suspended to withdraw from committee on Rules and take up	845
03-10.	A.	Read a second time	845
03-10.	A.	Ordered to a third reading	845
03-10.	A.	Rules suspended	845
03-10.	A.	Read a third time and concurred in	846
03-10.	A.	Ordered immediately messaged	846
03-10.	S.	Received from Assembly concurred in.	

**2003
ENROLLED BILL**

03en SB-436

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

03-180/1/1

Amendments to above (if none, write "NONE"):

SA 1 SA 2

Corrections - show date (if none, write "NONE"):

None

Topic

releasely on Bill plus and
an enrolled news
Creating an
equipment
grant program

3/11/04

Date

[Signature]

Enrolling Drafter

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2003 SENATE BILL 436

February 9, 2004 - Introduced by Senators LEIBHAM, LAZICH, REYNOLDS, KANAVAS, WELCH and STEPP, cosponsored by Representatives KERKMAN, KESTELL, M. LEHMAN, VUKMIR, OTT, AINSWORTH, GOTTLIEB, LADWIG, HAHN, NISCHKE, NASS, JESKEWITZ, MCCORMICK, JENSEN, GUNDRUM, VAN AKKEREN, LEMAHIEU, KRAWCZYK, VRAKAS and GUNDERSON. Referred to Committee on Transportation and Information Infrastructure.

1 AN ACT *to amend* 110.20 (6) (a) 1. and 110.20 (6) (a) 3. of the statutes; relating
2 to: motor vehicle emission inspections. 1-2 (SAI)

Analysis by the Legislative Reference Bureau

Current law requires the Department of Transportation (DOT) to conduct a motor vehicle emission inspection program in counties in which the air quality does not meet certain federal standards. Under the program, most motor vehicles that are subject to emission limitations established by the Department of Natural Resources (DNR) must undergo emission inspections during the second year following the vehicle's model year and every two years thereafter.

This bill changes the time period before a qualifying vehicle must undergo an initial emission inspection, extending it from the second year after the vehicle's model year to the fourth year after the vehicle's model year. This change applies to motor vehicles of a model year of 2004 or later.

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

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

3 SECTION 110.20 (6) (a) 1. of the statutes is amended to read:

4 110.20 (6) (a) 1. For a nonexempt vehicle required to be registered on an annual
5 or other periodic basis in this state, within the period of time specified by the

1-3 (SAI)

(B) / m.

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1 department under sub. (9) (d) prior to renewal of registration in the 2nd 4th year
2 after the nonexempt vehicle's model year and every 2 years thereafter, except as
3 provided in sub. (9) (j).

4 **SECTION 2.** 110.20 (6) (a) 3. of the statutes is amended to read:

5 110.20 (6) (a) 3. For a nonexempt vehicle that is registered under s. 341.26 (2m),
6 owned by the United States or subject to one-time registration, at any time during
7 the 2nd 4th year following the nonexempt vehicle's model year and every 2 years
8 thereafter.

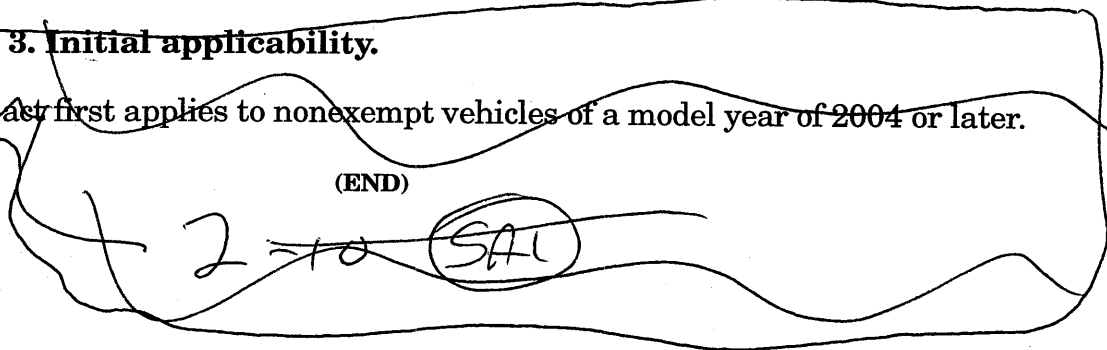
9 **SECTION 3. Initial applicability.**

10 (1) This act first applies to nonexempt vehicles of a model year of 2004 or later.

(END)

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**SENATE AMENDMENT 1,
TO 2003 SENATE BILL 436**

March 3, 2004 - Offered by COMMITTEE ON TRANSPORTATION AND INFORMATION
INFRASTRUCTURE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 2: after "inspections" insert "and creating an equipment grant
3 program, extending the time limit for emergency rule procedures, providing an
4 exemption from emergency rule procedures, providing an exemption from
5 rule-making procedures, granting rule-making authority, and making an
6 appropriation".

7 **2.** Page 1, line 3: before that line insert:

8 "SECTION 1g. 20.395 (5) (hq) of the statutes is amended to read:

9 20.395 (5) (hq) *Motor vehicle emission inspection and maintenance program;*
10 *contractor costs and equipment grants; state funds.* The amounts in the schedule to
11 provide for contracts for the operation of inspection stations under s. 110.20 and for
12 the motor vehicle emission control equipment grant program under s. 110.215."

13 **3.** Page 1, line 3: delete "SECTION 1" and substitute "SECTION 1m".

1 **4.** Page 2, line 8: after that line insert:

2 “**SECTION 2m.** 110.215 of the statutes is created to read: 2-8

3 **110.215 Motor vehicle emission control equipment grant program.**

4 From the appropriation under s. 20.395 (5) (hq), the department shall, in
5 consultation with the department of natural resources, develop and administer a
6 program to provide grants for the purchase and installation of oxidation catalyst
7 mufflers on school buses customarily kept in counties identified in s. 110.20 (5). The
8 department shall adopt rules to implement and administer this section, including
9 procedures, standards, and criteria for awarding and distributing the grants.

10 **SECTION 2r. Nonstatutory provisions.**

11 (1) The department of transportation shall submit in proposed form the rules
12 required under section 110.215 of the statutes, as created by this act, to the
13 legislative council staff under section 227.15 (1) of the statutes no later than the first
14 day of the 4th month beginning after the effective date of this subsection.

15 (2) Using the emergency rules procedure under section 227.24 of the statutes,
16 the department of transportation shall promulgate the rules required under section
17 110.215 of the statutes, as created by this act, for purposes of implementing this act,
18 for the period before the effective date of the rules submitted under subsection (1).
19 The department shall promulgate these emergency rules no later than the first day
20 of the 4th month beginning after the effective date of this subsection.
21 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules
22 may remain in effect until June 30, 2005, or the date on which permanent rules take
23 effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the
24 statutes, the department is not required to provide evidence that promulgating a rule

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1 under this subsection as an emergency rule is necessary for the preservation of the
2 public peace, health, safety, or welfare and is not required to provide a finding of
3 emergency for a rule promulgated under this subsection.

4 **5.** Page 2, line 10: delete "This act" and substitute "The treatment of sections
5 110.20 (6) (a) 1. and 3. of the statutes"

Delete by SA 2

2-6

6 **6.** Page 2, line 10: after that line insert:

7 **"SECTION 3m. Effective dates.** This act takes effect on the day after
8 publication, except as follows:

9 (1) The treatment of sections 20.395 (5) (hq) and 110.215 of the statutes takes
10 effect on the first day of the 4th month beginning after publication.

11
2-10

(END)

