

2003 Senate Bill 436

Date of enactment: April 8, 2004
Date of publication*: April 22, 2004

2003 WISCONSIN ACT 220

AN ACT to amend 20.395 (5) (hq), 110.20 (6) (a) 1. and 110.20 (6) (a) 3.; and to create 110.215 of the statutes; relating to: motor vehicle emission inspections and creating an equipment grant program, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, providing an exemption from rule-making procedures, granting rule-making authority, and making an appropriation.

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

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

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

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

110.20 (6) (a) 1. For a nonexempt vehicle required to be registered on an annual or other periodic basis in this state, within the period of time specified by the department under sub. (9) (d) prior to renewal of registration in the ~~2nd~~ 4th year after the nonexempt vehicle's model year and every 2 years thereafter, except as provided in sub. (9) (j).

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

110.20 (6) (a) 3. For a nonexempt vehicle that is registered under s. 341.26 (2m), owned by the United States or subject to one-time registration, at any time during the

~~2nd~~ 4th year following the nonexempt vehicle's model year and every 2 years thereafter.

SECTION 2m. 110.215 of the statutes is created to read:

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

SECTION 2r. Nonstatutory provisions.

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

(2) Using the emergency rules procedure under section 227.24 of the statutes, the department of transportation shall promulgate the rules required under section 110.215 of the statutes, as created by this act, for purposes

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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of implementing this act, for the period before the effective date of the rules submitted under subsection (1). The department shall promulgate these emergency rules no later than the first day of the 4th month beginning after the effective date of this subsection. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules may remain in effect until June 30, 2005, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide

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

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

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