
CR 03-114

The Wisconsin Department of Transportation proposes an order to amend TRANS 250.04, Wisconsin Administrative Code, relating to oversized and overweight permits for vehicles and loads

**REPORT OF THE DEPARTMENT OF TRANSPORTATION
ON THE FINAL RULE DRAFT**

This report is submitted to the presiding officers of the Senate and Assembly for referral to the appropriate standing committees. The report consists of the following parts:

Part 1--Analysis prepared by the Department of Transportation.

Part 2--Rule text in final draft form.

Part 3--Recommendations of the Legislative Council.

Part 4--Analysis prepared pursuant to the provisions of s. 227.19(3), Stats.

Submitted by:



ALLYN LEPEŠKA
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PART 1
Analysis Prepared by the Wisconsin Department of Transportation

STATUTORY AUTHORITY: s. 348.25(8)(e), Stats.

STATUTES INTERPRETED: s. 348.25(8)(e), Stats.

General Summary of Proposed Rule. This rule making will amend ch. Trans 250 to effectuate s. 2604 of 2003 Wis. Act 33 that allows DOT to establish by administrative rule the additional fee to be charged for using the Department telephone call-in procedure or the Internet procedure to apply for oversize or overweight permits.

Fiscal Effect. The Department estimates that there will be no direct fiscal impact from this rule making upon the state and anticipates no effect on the fiscal liabilities or revenues of any county, city, village, town, school district, vocational, technical and adult education school district or sewerage district.

The proposed rule implements s. 348.25(8)(e), Stats., as amended by 2003 Wis. Act 33. The rule has no fiscal effect independent of the statute. The statute requires that the fee established by the Department by rule shall approximate the cost to the Department for providing the telephone call-in or Internet service to persons so requesting. Therefore, revenue which the Department receives under this rule will approximately equal the Department's costs, resulting in no fiscal impact.

Copies of Rule. Copies of the rule may be obtained upon request, without cost, by writing to Susan Kavulich, Division of Motor Vehicles, Motor Carrier Services Section, P. O. Box 7981, Room 151, Madison, WI 53707-7981, or by calling (608) 261-6305. Hearing-impaired individuals may contact the Department using TDD (608) 266-0396. Alternate formats of the proposed rule will be provided to individuals at their request.

PART 2
TEXT OF PROPOSED RULE

Under the authority vested in the state of Wisconsin, department of transportation, by s. 348.25(8)(e), Stats., the department of transportation hereby proposes to amend a rule interpreting s. 348.25(8)(e), Stats., relating to oversize and overweight permits for vehicles and loads.

SECTION 1. Trans 250.04 is amended to read:

Trans 250.04 (title) Telephone Internet fee and telephone call-in fee. In addition to any other applicable fee under this chapter, the department shall charge the

which is applied for or issued by the internet procedure or the telephone call-in procedure. Only one internet fee or telephone call-in fee shall be charged when a permit or amendment is applied for and issued by the internet procedure or the telephone call-in procedure.

(END OF RULE TEXT)

Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 22nd day of December, 2003.

Randy Romach

For Frank Busalacchi

FRANK J. BUSALACCHI

Secretary

Wisconsin Department of Transportation



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

PART 3 CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 03-114

AN ORDER to amend Trans 250.04, relating to oversize and overweight permits for vehicles and loads.

Submitted by **DEPARTMENT OF TRANSPORTATION**

11-13-2003 RECEIVED BY LEGISLATIVE COUNCIL.

12-08-2003 REPORT SENT TO AGENCY.

RNS:DLS

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]
Comment Attached YES NO
2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]
Comment Attached YES NO
3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]
Comment Attached YES NO
4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]
Comment Attached YES NO
5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]
Comment Attached YES NO
6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]
Comment Attached YES NO
7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]
Comment Attached YES NO

PART 4
CR 03-114

ANALYSIS OF FINAL DRAFT OF TRANS 250

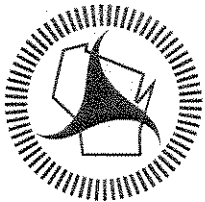
(a) **Need for Amended Rule.** This rule making will amend ch. Trans 250 to effectuate s. 2604 of 2003 Wis. Act 33 that allows DOT to establish by administrative rule the additional fee to be charged for using the Department telephone call-in procedure or the Internet procedure to apply for oversize or overweight permits.

(b) **Modifications as a Result of Testimony at Public Hearing.** The public hearing was held in Madison on December 15, 2003. There were no modifications to the proposed rule as a result of testimony at the hearing.

(c) **List of Persons who Appeared or Registered at Public Hearing.** No one appeared/registered at the hearing.

(d) **Response to Legislative Council Recommendations.** The Legislative Council report contained no recommendations.

(e) **Final Regulatory Flexibility Analysis.** The Department anticipates that this rule making will have no direct adverse effect on small businesses. This rule making establishes no additional compliance, bookkeeping, or reporting requirements for small businesses which choose to apply for oversize/overweight permits through the telephone call-in or Internet service procedure.



Wisconsin Department of Transportation

www.dot.wisconsin.gov

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Governor

Frank J. Busalacchi
Secretary

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The Honorable Alan Lasee
President, Wisconsin State Senate
Room 220 South, State Capitol
Madison, Wisconsin 53707

December 23, 2003

The Honorable John Gard
Speaker, Wisconsin State Assembly
Room 211 West, State Capitol
Madison, Wisconsin 53707

RE: Proposed Administrative Rule **TRANS 250**
Notification of Legislative Standing Committees
CLEARINGHOUSE RULE 03-114

Gentlemen:

Enclosed is a copy of Clearinghouse Rule **03-114**, relating to **oversize and overweight permits for vehicles and loads**. The rule is submitted to you for referral to the appropriate standing committees.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Johnson".

Julie A. Johnson
Paralegal

JAJ/dim

Enclosure

cc: Gary Poulson/Senator Joseph Leibham/Representative Glenn Grothman/
Beverly Larson/Carson Frazier/Susan Kavulich