

2007 ASSEMBLY BILL 81

February 22, 2007 – Introduced by Representatives BENEDICT, SHERIDAN and HIXSON, cosponsored by Senator ROBSON, by request of the people of the Town of LaPrairie. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 84.01 (21) and 84.013 (9); and *to create* 59.40 (2) (mm), 348.11
2 (3), 348.21 (5), 814.75 (22mv), 814.75 (22my), 814.79 (9m) and 814.79 (6n) of the
3 statutes; **relating to:** building a certain vehicle weighing station in Rock
4 County, building a certain interchange in Rock County, and creating a vehicle
5 weighing station surcharge for size and weight violations detected at a certain
6 vehicle weighing station in Rock County to provide funds to the town of La
7 Prairie.

Analysis by the Legislative Reference Bureau

Current law allows the Department of Transportation (DOT) to acquire, construct, and maintain motor vehicle weighing stations for weighing, measuring, or inspecting vehicles and loads operating on any public highway in the state. DOT may also acquire, construct, and maintain interchanges along any public highway in the state and if certain conditions are met, DOT may construct an interchange at the intersection of Townline Road and I 90 in Rock County.

This bill prohibits DOT from constructing, before January 1, 2057, any motor vehicle weighing station on the southbound lanes of I 39/I 90 in Rock County and prohibits DOT from building an interchange at the intersection of Townline Road and I 90 in Rock County.

Current law also places limits on load, length, width, and weight for vehicles traveling on the highways. Violators may be subject to forfeitures ranging from \$10

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to \$300, plus an amount based on how much the violation exceeded permissible limits, depending on the violation. This bill imposes a 10 percent surcharge on all violations that are detected at a vehicle weighing facility located on the northbound lane of I 39/I 90 in Rock County and the surcharge is paid to the town of La Prairie in Rock County.

For further information see the *state and local* 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:

1 **SECTION 1.** 59.40 (2) (mm) of the statutes is created to read:

2 59.40 (2) (mm) Pay monthly to the treasurer the amounts required by ss. 348.11
3 (3) and 348.21 (5) for the motor vehicle weighing facility surcharge. The payments
4 shall be made by the 15th day of the month following receipt thereof.

5 **SECTION 2.** 84.01 (21) of the statutes is amended to read:

6 84.01 (21) MOTOR VEHICLE WEIGHING STATIONS. The department, as a part of the
7 improvement and maintenance of highways, may acquire, construct and maintain
8 lands and facilities, including scales or weighing stations, for weighing, measuring
9 or inspecting vehicles and loads operating on any public highway in the state. Lands
10 necessary may be adjacent or contiguous to the highway and weighing station
11 facilities may be constructed and maintained upon the traveled portion of the
12 highway or any other part thereof. The department may not construct a motor
13 vehicle weighing facility on the southbound lanes of I 39/I 90 in Rock County before
14 January 1, 2057.

15 **SECTION 3.** 84.013 (9) of the statutes is amended to read:

16 84.013 (9) ~~If the department, in consultation with the department of commerce,~~
17 ~~determines that a business development having a payroll exceeding \$10,000,000 in~~
18 ~~a calendar year is being located within a 3-mile radius of the intersection of I 90 and~~

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1 ~~Town Line Road in Rock County, the department shall construct an interchange~~
2 ~~funded from the appropriations under s. 20.395 (3) (cq) to (cx) off of I 90 to Town Line~~
3 ~~Road. The department may not construct an interchange at the intersection of~~
4 ~~Townline Road and I 90 in Rock County.~~

5 **SECTION 3.** 348.11 (3) of the statutes is created to read:

6 348.11 **(3)** (a) If a court imposes a forfeiture under this section for a violation
7 that is discovered at a motor vehicle weighing facility located on the northbound
8 lanes of I 39/I 90 in Rock County, the court shall also impose under ch. 814 a motor
9 vehicle weighing facility surcharge of 10 percent of the forfeiture amount.

10 (b) The clerk of the circuit court shall collect and transmit the amount of the
11 motor vehicle weighing facility surcharge to the county treasurer as provided in s.
12 59.40 (2) (mm). The county treasurer shall then pay this amount to the town of La
13 Prairie in Rock County.

14 **SECTION 4.** 348.21 (5) of the statutes is created to read:

15 348.21 **(5)** (a) If a court imposes a forfeiture under this section for a violation
16 that is discovered at a motor vehicle weighing facility located on the northbound
17 lanes of I 39/I 90 in Rock County, the court shall also impose under ch. 814 a motor
18 vehicle weighing facility surcharge of 10 percent of the forfeiture amount.

19 (b) The clerk of the circuit court shall collect and transmit the amount of the
20 motor vehicle weighing facility surcharge to the county treasurer as provided in s.
21 59.40 (2) (mm). The county treasurer shall then pay this amount to the town of La
22 Prairie in Rock County.

23 **SECTION 5.** 814.75 (15m) of the statutes is created to read:

24 814.75 **(15m)** The motor vehicle weighing facility surcharge under s. 348.11 (3).

25 **SECTION 6.** 814.75 (15n) of the statutes is created to read:

