

2007 DRAFTING REQUEST

Bill

Received: **10/26/2006**

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

For: **Peggy Krusick (608) 266-1733**

By/Representing: **Christian Moran**

This file may be shown to any legislator: **NO**

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Trade Regulation - other**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Krusick@legis.wisconsin.gov**

Carbon copy (CC:) to: **christopher.sundberg@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Require gas stations to provide assistance to disabled customers unless only one person is working

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	csundber 10/26/2006	jdyer 11/17/2006		_____			State
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	01/29/2008	01/29/2008	01/08/2008 _____		01/08/2008		
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/5	csundber 02/11/2008	csicilia 02/11/2008	jfrantze 02/08/2008 _____		cduerst 02/08/2008		State
/6			nmatzke 02/11/2008 _____		mbarman 02/11/2008	cduerst 02/20/2008	

FE Sent For:

*at
Intro*

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16 ejs 2/11
08

nwn 2/11 nwn 2/11

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1/8 ps
1/8 ps/2/10

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/?	csundber	1/16/06 JL	1/16/06 P8	1/16/06 P8/13			

FE Sent For:

<END>

10/26/04 Christian Moran/Krusick

Draft 05-5062

Changes:

- ① Require notice posted on each gas pump and on building
- ② DATCP should promulgate a standard notice for use by retailers (optional)
- ③ Rephrase notice: A retailer must provide assistance to a customer, etc.
- ④ Mandatory \$100 forfeiture.

RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: CJS) (Date: 10 / 26 / 06)



Please transfer the drafting file for

2005 LRB 5062 to the drafting file

for 2007 LRB 0598

The final version of the 2005 draft and the final Request Sheet will be copied on yellow paper, and returned to the original 2005 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".

For research purposes, because the 2005 draft was incorporated into a 2007 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the 2007 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

--- OR ---

Please copy the drafting file for

2007 LRB / Done (include the version) and place it in the

drafting file for 2007 LRB MB

For research purposes, because the original 2007 draft was incorporated into another 2007 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the new 2007 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

The original drafting file will then be returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.

In: 10/26/04

7 8
2005 - 2006 LEGISLATURE

0598/1
LRB-5062/t
CTS:kjfrs
KWR
e
Jld

7
2005 BILL

LPS.
PWF
please

NO
The bill provides for a \$100 forfeiture for each violation of the bill's requirements.

Regen

1 AN ACT *to repeal* 100.51 (5); *to amend* 100.18 (8); and *to create* 100.515 of the
2 statutes; **relating to:** dispensing motor vehicle fuel for persons with
3 disabilities and providing a penalty.

granting rule-making authority,

Analysis by the Legislative Reference Bureau

Under current law, a motor vehicle fuel dealer is required to have an employee dispense fuel for a vehicle that displays registration plates or an identification card that indicates the vehicle is used by a person with a disability, if the dealer has full-service pumps. A dealer is required to charge a person receiving such service the same price ^{that} the dealer charges at self-service pumps.

This bill expands the current requirements. Under the bill, a retailer of motor vehicle fuel must provide an employee or other attendant to dispense motor vehicle fuel if the vehicle displays registration plates or an identification card indicating the vehicle is used by a person with a disability, the driver sounds the vehicle's horn or requests assistance, and more than one employee or attendant is on duty. The requirements apply regardless of whether a retailer has full-service pumps. The bill also requires a retailer to post written notice that a customer with a physical disability may obtain assistance with dispensing fuel by sounding a horn or by requesting assistance from an attendant.

NO
retailer must provide assistance with dispensing fuel to a disabled customer if the customer sounds a horn or requests assistance, unless only one attendant is on duty

BILL

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:

1 **SECTION 1.** 100.18 (8)[✓] of the statutes is amended to read:

2 100.18 **(8)** Every wholesaler and every other person selling or distributing
3 motor fuel in this state shall keep posted in a conspicuous place, most accessible to
4 the public at his or her place of business, and on every pump from which delivery is
5 made directly into the fuel tank attached to a motor vehicle, a placard showing the
6 net selling price per gallon of all grades of motor fuel and the amount of all taxes per
7 gallon thereon. On pumps or other dispensing equipment from which motor fuel is
8 sold and delivered directly into fuel supply tanks attached to motor vehicles, such
9 posting shall be in figures not less than one inch high, except that no such placard
10 shall be required on a computer pump whereon the total net selling price per gallon
11 including all taxes is legibly shown on its face. Except for sales to drivers of motor
12 vehicles used by physically disabled persons under s. ~~100.51~~ (5)[✓] 100.515, all sales
13 shall be made at the posted price. Delivery slips shall also show the net selling price
14 per gallon of all grades of motor fuel and the amount of all taxes per gallon thereon.
15 If the wholesaler or person has more than one place of business in this state, the
16 wholesaler or person shall post that placard at all of his or her places of business.
17 All prices posted shall remain in effect for at least 24 hours after they are posted.
18 It shall be considered deceptive advertising to advertise or represent in any manner
19 the price of motor fuel offered for sale at retail to be less than the price so posted on
20 each pump.

21 **SECTION 2.** 100.51 (5)[✓] of the statutes is repealed.

BILL

1 SECTION 3. 100.515 of the statutes is created to read:

2 **100.515 Dispensing motor vehicle fuel; vehicles used by person with**
3 **disabilities.** (1) In this section, "motor vehicle" has the meaning given in s. 340.01
4 (35).

5 (2) (a) A motor vehicle fuel retailer shall provide an employee or other
6 attendant to dispense motor vehicle fuel into a motor vehicle, if all of the following
7 apply:

8 1. The driver of the motor vehicle sounds the vehicle's horn or requests
9 assistance.

10 2. The motor vehicle displays special registration plates issued under s. 341.14
11 (1), (1a), (1m), (1q), or (1r) (a) or a special identification card issued under s. 343.51
12 or the vehicle is registered in another jurisdiction and displays a registration plate,
13 card, or emblem issued by that jurisdiction that indicates the vehicle is used by a
14 person with a physical disability.

15 3. More than one employee or other attendant is on duty at the motor vehicle
16 fuel retailer's place of business.

17 (b) A motor vehicle fuel retailer dispensing fuel under par. (a) may not charge
18 a price that exceeds the price the retailer charges for the fuel at a self-service pump.

19 (3) (a) A motor vehicle fuel retailer shall post written notice that a customer with
20 a physical disability may obtain assistance with dispensing fuel by sounding a horn
21 or by requesting assistance from an attendant, if the customer sounds a retailer must
provide assistance with dispensing fuel to

22 (4) A person who violates this section may be required to forfeit not more than
23 \$100 per violation. unless only one attendant is on duty shall

24 (END)

INS
3-21

on each of the retailer's motor vehicle fuel pumps and in a window or other conspicuous location at the retailer's place of business
a retailer must provide assistance with dispensing fuel to

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0598/lins
CTS:.....

Insert 3-21:

(b) The department shall promulgate and make available to motor vehicle fuel
retailers a form written notice that complies with par. (a)

Handwritten annotations:
- A box around "promulgate" with "STET" written below it.
- A box around "available" with "STET" written below it.
- A large box around "a form written notice that complies with par. (a)" with "STET" written inside it.

Sundberg, Christopher

From: Moran, Christian
Sent: Monday, January 07, 2008 11:01 AM
To: Sundberg, Christopher
Subject: FW: redraft request for LRB-0598/2 (gas pump accessibility)

Chris,

Just following-up on our redraft request for LRB-0598/2.

We'd still like DATCP to promulgate rules as currently drafted. However, as you suggested, please amend the bill to specify that DOT would design the signage in consultation with DATCP, advocates for the disabled and elderly, petroleum marketers, and gas station owners.

Also, please amend 100.515 (3)(a)(b) to clarify that DATCP is only responsible for providing gas stations with the sign design and not the actual signs.

Thanks. Just call with any questions.

Christian

6-1733

From: Moran, Christian
Sent: Tuesday, December 18, 2007 9:26 AM
To: Sundberg, Christopher
Subject: RE: redraft request for LRB-0598/2 (gas pump accessibility)

Thanks for the suggestion. I've asked DOT if they'd be OK with this approach. I'll keep you posted.

From: Sundberg, Christopher
Sent: Monday, December 17, 2007 12:17 PM
To: Moran, Christian
Subject: RE: redraft request for LRB-0598/2 (gas pump accessibility)

why not just specify that stations must display, at the pump and in the window, signs designed by DOT?

From: Moran, Christian
Sent: Monday, December 17, 2007 12:07 PM
To: Sundberg, Christopher
Subject: redraft request for LRB-0598/2 (gas pump accessibility)

Hi Chris,

Could you please redraft s. 100.515(3)(a) and (b) [pg. 3, lines 19-25] of our gas pump accessibility bill (LRB-0598/2).

Instead of requiring DATCP to promulgate and provide to gas stations a written notice on the law's provisions, we'd like to put the attached sign design and size directly in statute.

01/07/2008

The sign on the pumps would be 3" x 3" and the sign in the service station window would be 9" x 9".

This sign was designed by Matt Rauch at DOT. For additional guidance, his comments and contact information are below in blue.

Thanks for your help. Just let me know if you have any questions.

Christian
6-1733

1. It is a good idea to describe the sign size and design in the statute. This was done with the disabled parking signs and it really helps to promote statewide consistency.
2. As service stations are notified of the law change, the detail of the sign could be made available to them (either a hardcopy or on-line). The dimensioning would be placed on the detail so a service station could go to any commercial sign fabricator and have the decals made.
3. My recommendation would be to have the decal material to be non-reflective. Reflective sheeting is not really required or needed in a service station lot and the non reflective material would be less of a cost impact to service station owners.

Matthew R. Rauch, P.E.

State Signing Engineer
WisDOT Bureau of Highway Operations
Traffic Engineering Section
(608) 266-0150 (office)
(608) 246-5305 (Sign Mfg. Shop)
(608) 516-6319 (Cellular)
matt.rauch@dot.state.wi.us



12/20/06
State of Wisconsin
2007 - 2008 LEGISLATURE

Wanted: today, if possible

2
LRB-0598/4
CTS:jld:pg

2007 BILL

Reger

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19 the price of motor fuel offered for sale at retail to be less than the price so posted on
20 each pump.

21 **SECTION 2.** 100.51 (5) of the statutes is repealed.

BILL

1 **SECTION 3.** 100.515 of the statutes is created to read:

2 **100.515 Dispensing motor vehicle fuel; vehicles used by person with**
3 **disabilities.** (1) In this section, "motor vehicle" has the meaning given in s. 340.01
4 (35).

5 (2) (a) A motor vehicle fuel retailer shall provide an employee or other
6 attendant to dispense motor vehicle fuel into a motor vehicle, if all of the following
7 apply:

8 1. The driver of the motor vehicle sounds the vehicle's horn or requests
9 assistance.

10 2. The motor vehicle displays special registration plates issued under s. 341.14
11 (1), (1a), (1m), (1q), or (1r) (a) or a special identification card issued under s. 343.51
12 or the vehicle is registered in another jurisdiction and displays a registration plate,
13 card, or emblem issued by that jurisdiction that indicates the vehicle is used by a
14 person with a physical disability.

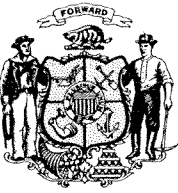
15 3. More than one employee or other attendant is on duty at the motor vehicle
16 fuel retailer's place of business.

17 (b) A motor vehicle fuel retailer dispensing fuel under par. (a) may not charge
18 a price that exceeds the price the retailer charges for the fuel at a self-service pump.

19 (3) (a) A motor vehicle fuel retailer shall post, on each of the retailer's motor
20 vehicle fuel pumps and in a window or other conspicuous location at the retailer's
21 place of business, a written notice that a retailer must provide assistance with
22 dispensing fuel to a customer with a physical disability if the customer sounds a horn
23 or requests assistance from an attendant, unless only one attendant is on duty.

24 (b) The department shall promulgate and make available to motor vehicle fuel
25 retailers.

a written notice that complies with par. (a)



2007 BILL

Regen

1 AN ACT *to repeal* 100.51 (5); *to amend* 100.18 (8); and *to create* 100.515 of the
2 statutes; **relating to:** dispensing motor vehicle fuel for persons with
3 disabilities, granting rule-making authority, and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a motor vehicle fuel dealer is required to have an employee dispense fuel for a vehicle that displays registration plates or an identification card that indicates the vehicle is used by a person with a disability, if the dealer has full-service pumps. A dealer is required to charge a person receiving such service the same price that the dealer charges at self-service pumps.

This bill expands the current requirements. Under the bill, a retailer of motor vehicle fuel must provide an employee or other attendant to dispense motor vehicle fuel if the vehicle displays registration plates or an identification card indicating the vehicle is used by a person with a disability, the driver sounds the vehicle's horn or requests assistance, and more than one employee or attendant is on duty. The requirements apply regardless of whether a retailer has full-service pumps. The bill also requires a retailer to post written notice that a retailer must provide assistance with dispensing fuel to a disabled customer if the customer sounds a horn or requests assistance, unless only one attendant is on duty. The bill provides for a \$100 forfeiture for each violation of the bill's requirements.

NO # signs designed by the Department of Transportation indicating that disabled customers may obtain assistance in fueling

BILL

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:

1 **SECTION 1.** 100.18 (8)^x of the statutes is amended to read:

2 100.18 (8) Every wholesaler and every other person selling or distributing
3 motor fuel in this state shall keep posted in a conspicuous place, most accessible to
4 the public at his or her place of business, and on every pump from which delivery is
5 made directly into the fuel tank attached to a motor vehicle, a placard showing the
6 net selling price per gallon of all grades of motor fuel and the amount of all taxes per
7 gallon thereon. On pumps or other dispensing equipment from which motor fuel is
8 sold and delivered directly into fuel supply tanks attached to motor vehicles, such
9 posting shall be in figures not less than one inch high, except that no such placard
10 shall be required on a computer pump whereon the total net selling price per gallon
11 including all taxes is legibly shown on its face. Except for sales to drivers of motor
12 vehicles used by physically disabled persons under s. ~~100.51 (5)~~ 100.515, all sales
13 shall be made at the posted price. Delivery slips shall also show the net selling price
14 per gallon of all grades of motor fuel and the amount of all taxes per gallon thereon.
15 If the wholesaler or person has more than one place of business in this state, the
16 wholesaler or person shall post that placard at all of his or her places of business.
17 All prices posted shall remain in effect for at least 24 hours after they are posted.
18 It shall be considered deceptive advertising to advertise or represent in any manner
19 the price of motor fuel offered for sale at retail to be less than the price so posted on
20 each pump.

21 **SECTION 2.** 100.51 (5)^x of the statutes is repealed.

BILL

1 **SECTION 3.** 100.515[✓] of the statutes is created to read:

2 **100.515 Dispensing motor vehicle fuel; vehicles used by person with**
3 **disabilities. (1)** In this section, "motor vehicle" has the meaning given in s. 340.01
4 (35).

5 **(2)** (a) A motor vehicle fuel retailer[✓] shall provide an employee or other
6 attendant to dispense motor vehicle fuel into a motor vehicle, if all of the following
7 apply:

8 1. The driver of the motor vehicle sounds the vehicle's horn or requests
9 assistance.

10 2. The motor vehicle displays special registration plates issued under s. 341.14
11 (1), (1a), (1m), (1q), or (1r) (a) or a special identification card issued under s. 343.51
12 or the vehicle is registered in another jurisdiction and displays a registration plate,
13 card, or emblem issued by that jurisdiction that indicates the vehicle is used by a
14 person with a physical disability.

15 3. More than one employee or other attendant is on duty at the motor vehicle
16 fuel retailer's place of business.

17 (b) A motor vehicle fuel retailer dispensing fuel under par. (a) may not charge
18 a price that exceeds the price the retailer charges for the fuel at a self-service pump.

19 **(3)** (a) A motor vehicle fuel retailer shall post, on each of the retailer's motor
20 vehicle fuel pumps and in a window or other conspicuous location at the retailer's
21 place of business, a written notice that a retailer must provide assistance with

22 dispensing fuel to a customer with a physical disability if the customer sounds a horn
23 or requests assistance from an attendant, unless only one attendant is on duty.

24 (b) The department shall promulgate and make available to motor vehicle fuel
25 retailers a written notice that complies with par. (a).

sign that complies with design specifications under par. (b).

INS 3-25 ✓

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0598/3ins
CTS:.....

1 **Insert 3-25:**

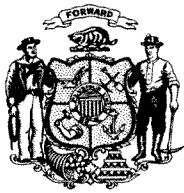
2 (b) The department of transportation[✓] shall prepare design specifications for
3 signs to be displayed by motor vehicle fuel retailers under par. (a)[✓] indicating that
4 disabled customers may obtain assistance in fueling. The department of
5 transportation[✓] shall prepare the design specifications in consultation with the
6 department of agriculture, trade and consumer protection[✓] and with advocates for the
7 disabled and the elderly, petroleum marketers, and motor vehicle fuel retailers.[✓]

1/29/08 Christian/Krausich

Redraft LRB-0598/3:

1. Change DOT to Commerce.
2. Signs must be posted in location that is "conspicuous," as defined by Commerce by rule.





(w: 1/29/08 wanted by Thurs. 1/31/08

State of Wisconsin
2007 - 2008 LEGISLATURE

4
LRB-0598/8
CTS:jld:pg

RMR

2007 BILL

Regen

1 AN ACT *to repeal* 100.51 (5); *to amend* 100.18 (8); and *to create* 100.515 of the
2 statutes; **relating to:** dispensing motor vehicle fuel for persons with
3 disabilities, granting rule-making authority, and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a motor vehicle fuel dealer is required to have an employee dispense fuel for a vehicle that displays registration plates or an identification card that indicates the vehicle is used by a person with a disability, if the dealer has full-service pumps. A dealer is required to charge a person receiving such service the same price that the dealer charges at self-service pumps.

This bill expands the current requirements. Under the bill, a retailer of motor vehicle fuel must provide an employee or other attendant to dispense motor vehicle fuel if the vehicle displays registration plates or an identification card indicating the vehicle is used by a person with a disability, the driver sounds the vehicle's horn or requests assistance, and more than one employee or attendant is on duty. The requirements apply regardless of whether a retailer has full-service pumps. The bill also requires a retailer to post signs designed by the Department of Transportation indicating that disabled customers may obtain assistance in fueling. The bill provides for a \$100 forfeiture for each violation of the bill's requirements.

→
Commerce

BILL

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:

1 **SECTION 1.** 100.18 (8) of the statutes is amended to read:

2 100.18 (8) Every wholesaler and every other person selling or distributing
3 motor fuel in this state shall keep posted in a conspicuous place, most accessible to
4 the public at his or her place of business, and on every pump from which delivery is
5 made directly into the fuel tank attached to a motor vehicle, a placard showing the
6 net selling price per gallon of all grades of motor fuel and the amount of all taxes per
7 gallon thereon. On pumps or other dispensing equipment from which motor fuel is
8 sold and delivered directly into fuel supply tanks attached to motor vehicles, such
9 posting shall be in figures not less than one inch high, except that no such placard
10 shall be required on a computer pump whereon the total net selling price per gallon
11 including all taxes is legibly shown on its face. Except for sales to drivers of motor
12 vehicles used by physically disabled persons under s. 100.51 (5) 100.515, all sales
13 shall be made at the posted price. Delivery slips shall also show the net selling price
14 per gallon of all grades of motor fuel and the amount of all taxes per gallon thereon.
15 If the wholesaler or person has more than one place of business in this state, the
16 wholesaler or person shall post that placard at all of his or her places of business.
17 All prices posted shall remain in effect for at least 24 hours after they are posted.
18 It shall be considered deceptive advertising to advertise or represent in any manner
19 the price of motor fuel offered for sale at retail to be less than the price so posted on
20 each pump.

21 **SECTION 2.** 100.51 (5) of the statutes is repealed.

BILL

1 SECTION 3. 100.515 of the statutes is created to read:

2 **100.515 Dispensing motor vehicle fuel; vehicles used by person with**
3 **disabilities.** (1) In this section, "motor vehicle" has the meaning given in s. 340.01
4 (35).

5 (2) (a) A motor vehicle fuel retailer shall provide an employee or other
6 attendant to dispense motor vehicle fuel into a motor vehicle, if all of the following
7 apply:

8 1. The driver of the motor vehicle sounds the vehicle's horn or requests
9 assistance.

10 2. The motor vehicle displays special registration plates issued under s. 341.14
11 (1), (1a), (1m), (1q), or (1r) (a) or a special identification card issued under s. 343.51
12 or the vehicle is registered in another jurisdiction and displays a registration plate,
13 card, or emblem issued by that jurisdiction that indicates the vehicle is used by a
14 person with a physical disability.

15 3. More than one employee or other attendant is on duty at the motor vehicle
16 fuel retailer's place of business.

17 (b) A motor vehicle fuel retailer dispensing fuel under par. (a) may not charge
18 a price that exceeds the price the retailer charges for the fuel at a self-service pump.

19 (3) (a) A motor vehicle fuel retailer shall post, on each of the retailer's motor
20 vehicle fuel pumps and in a window or other conspicuous location at the retailer's
21 place of business, a sign that complies with design specifications under par. (b).

22 (b) The department of transportation shall prepare design specifications for
23 signs to be displayed by motor vehicle fuel retailers under par. (a) indicating that
24 disabled customers may obtain assistance in fueling. The department of
commerce

25 transportation shall prepare the design specifications in consultation with the

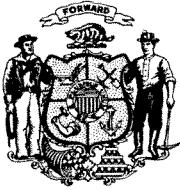
*in a conspicuous location, as defined by the
department of commerce by rule.*

BILL

1 department of agriculture, trade and consumer protection and with advocates for the
2 disabled and the elderly, petroleum marketers, and motor vehicle fuel retailers.

3 (4) A person who violates this section shall be required to forfeit not more than
4 \$100 per violation.

5 (END)



In: 2/8/08 Wanted: Monday 2/11/08

State of Wisconsin
2007 - 2008 LEGISLATURE

5
LRB-0598/4 FANR

CTS:jld:nwn

Stays

2007 BILL

- regen
- 1 **AN ACT** *to repeal* 100.51 (5); *to amend* 100.18 (8); and *to create* 100.515 of the
2 statutes; **relating to:** dispensing motor vehicle fuel for persons with
3 disabilities, granting rule-making authority, and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a motor vehicle fuel dealer is required to have an employee dispense fuel for a vehicle that displays registration plates or an identification card that indicates the vehicle is used by a person with a disability, if the dealer has full-service pumps. A dealer is required to charge a person receiving such service the same price that the dealer charges at self-service pumps.

This bill expands the current requirements. Under the bill, a retailer of motor vehicle fuel must provide an employee or other attendant to dispense motor vehicle fuel if the vehicle displays registration plates or an identification card indicating the vehicle is used by a person with a disability, the driver sounds the vehicle's horn or requests assistance, and more than one employee or attendant is on duty. The requirements apply regardless of whether a retailer has full-service pumps. The bill also requires a retailer to post signs designed by the Department of Commerce indicating that disabled customers may obtain assistance in fueling. The bill provides for a \$100 forfeiture for each violation of the bill's requirements.

BILL

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11 including all taxes is legibly shown on its face. Except for sales to drivers of motor
12 vehicles used by physically disabled persons under s. 100.51 (5) 100.515, all sales
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14 per gallon of all grades of motor fuel and the amount of all taxes per gallon thereon.
15 If the wholesaler or person has more than one place of business in this state, the
16 wholesaler or person shall post that placard at all of his or her places of business.
17 All prices posted shall remain in effect for at least 24 hours after they are posted.
18 It shall be considered deceptive advertising to advertise or represent in any manner
19 the price of motor fuel offered for sale at retail to be less than the price so posted on
20 each pump.

134.805

21 **SECTION 2.** 100.51 (5) of the statutes is repealed.

BILL

134.805 (3)

1

SECTION 3. 100.515 of the statutes is created to read:

2

100.515 Dispensing motor vehicle fuel; vehicles used by person with

3

disabilities. (1) In this section, "motor vehicle" has the meaning given in s. 340.01

4

(35).

5

(2) (a) A motor vehicle fuel retailer shall provide an employee or other

6

attendant to dispense motor vehicle fuel into a motor vehicle, if all of the following

7

apply:

8

1. The driver of the motor vehicle sounds the vehicle's horn or requests

9

assistance.

10

2. The motor vehicle displays special registration plates issued under s. 341.14

11

(1), (1a), (1m), (1q), or (1r) (a) or a special identification card issued under s. 343.51

12

or the vehicle is registered in another jurisdiction and displays a registration plate,

13

card, or emblem issued by that jurisdiction that indicates the vehicle is used by a

14

person with a physical disability.

15

3. More than one employee or other attendant is on duty at the motor vehicle

16

fuel retailer's place of business.

17

(b) A motor vehicle fuel retailer dispensing fuel under par. (a) may not charge

18

a price that exceeds the price the retailer charges for the fuel at a self-service pump.

19

(3) (a) A motor vehicle fuel retailer shall post in a conspicuous location, as

20

defined by the department of commerce by rule, a sign that complies with design

21

specifications under par. (b).

22

(b) The department of commerce shall prepare design specifications for signs

23

to be displayed by motor vehicle fuel retailers under par. (a) indicating that disabled

24

customers may obtain assistance in fueling. The department of commerce shall

25

prepare the design specifications in consultation with the department of agriculture,

BILL

1 trade and consumer protection and with advocates for the disabled and the elderly,
2 petroleum marketers, and motor vehicle fuel retailers.

3 (4) A person who violates this section shall be required to forfeit not more than
4 \$100 per violation.

5 (END)

Sundberg, Christopher

From: Moran, Christian
Sent: Monday, February 11, 2008 8:37 AM
To: Sundberg, Christopher
Subject: gas pump accessibility (LRB-0598/5)

Hi Chris,

Sorry, but one more (and hopefully last) revision of the gas pump accessibility bill (LRB-0598/5).

s. 134.805(3)(b) on pgs. 3-4 requires Commerce to consult with DATCP and others in designing the gas station signs. Please delete DATCP from the list of those that Commerce must consult with.

Thanks,

Christian



SAV

2007 BILL

Regen Cat

1 AN ACT *to repeal* 100.51 (5); *to amend* 100.18 (8); and *to create* 134.805 of the
2 statutes; **relating to:** dispensing motor vehicle fuel for persons with
3 disabilities, granting rule-making authority, and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a motor vehicle fuel dealer is required to have an employee dispense fuel for a vehicle that displays registration plates or an identification card that indicates the vehicle is used by a person with a disability, if the dealer has full-service pumps. A dealer is required to charge a person receiving such service the same price that the dealer charges at self-service pumps.

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BILL

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7 gallon thereon. On pumps or other dispensing equipment from which motor fuel is
8 sold and delivered directly into fuel supply tanks attached to motor vehicles, such
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10 shall be required on a computer pump whereon the total net selling price per gallon
11 including all taxes is legibly shown on its face. Except for sales to drivers of motor
12 vehicles used by physically disabled persons under s. ~~100.51 (5)~~ 134.805, all sales
13 shall be made at the posted price. Delivery slips shall also show the net selling price
14 per gallon of all grades of motor fuel and the amount of all taxes per gallon thereon.
15 If the wholesaler or person has more than one place of business in this state, the
16 wholesaler or person shall post that placard at all of his or her places of business.
17 All prices posted shall remain in effect for at least 24 hours after they are posted.
18 It shall be considered deceptive advertising to advertise or represent in any manner
19 the price of motor fuel offered for sale at retail to be less than the price so posted on
20 each pump.

21 **SECTION 2.** 100.51 (5) of the statutes is repealed.

BILL

1 **SECTION 3.** 134.805 of the statutes is created to read:

2 **134.805 Dispensing motor vehicle fuel; vehicles used by person with**
3 **disabilities.** (1) In this section, "motor vehicle" has the meaning given in s. 340.01
4 (35).

5 (2) (a) A motor vehicle fuel retailer shall provide an employee or other
6 attendant to dispense motor vehicle fuel into a motor vehicle, if all of the following
7 apply:

8 1. The driver of the motor vehicle sounds the vehicle's horn or requests
9 assistance.

10 2. The motor vehicle displays special registration plates issued under s. 341.14
11 (1), (1a), (1m), (1q), or (1r) (a) or a special identification card issued under s. 343.51
12 or the vehicle is registered in another jurisdiction and displays a registration plate,
13 card, or emblem issued by that jurisdiction that indicates the vehicle is used by a
14 person with a physical disability.

15 3. More than one employee or other attendant is on duty at the motor vehicle
16 fuel retailer's place of business.

17 (b) A motor vehicle fuel retailer dispensing fuel under par. (a) may not charge
18 a price that exceeds the price the retailer charges for the fuel at a self-service pump.

19 (3) (a) A motor vehicle fuel retailer shall post in a conspicuous location, as
20 defined by the department of commerce by rule, a sign that complies with design
21 specifications under par. (b).

22 (b) The department of commerce shall prepare design specifications for signs
23 to be displayed by motor vehicle fuel retailers under par. (a) indicating that disabled
24 customers may obtain assistance in fueling. The department of commerce shall
25 prepare the design specifications in consultation with the department of agriculture,

BILL

SECTION 3

① trade and consumer protection and with advocates for the disabled and the elderly,
2 petroleum marketers, and motor vehicle fuel retailers.

3 (4) A person who violates this section shall be required to forfeit not more than
4 \$100 per violation.

5 (END)

Duerst, Christina

From: Moran, Christian

Sent: Wednesday, February 20, 2008 9:43 AM

To: LRB.Legal

Subject: Draft Review: LRB 07-0598/6 Topic: Require gas stations to provide assistance to disabled customers unless only one person is working

Please Jacket LRB 07-0598/6 for the ASSEMBLY.

Christian Moran
Office of Representative Peggy Krusick
State Capitol, 128 North
Madison, WI 53708
608-266-1733