



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 09-105

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]

2. Form, Style and Placement in Administrative Code

a. In the rule preface discussion of reinspection fees, it appears that the notation “Act 8” should be replaced by the notation “Act 28.”

b. The rule preface discussion of surrounding state regulations should include information regarding Iowa. [See s. 227.14 (2) (a) 4., Stats.]

c. In s. ATCP 92.01 (16), the second sentence should read: “‘Vehicle tank meter’ does not include a liquefied petroleum gas meter.”

d. In s. ATCP 92.43 (3) (intro.), the phrase “all of” should be inserted after the phrase “shall include.”

e. The rule’s treatment of livestock scales is confusing. Several rule provisions that currently apply to both vehicle and livestock scales are amended to apply only to vehicle scales. The analysis seems to imply that some types of livestock scales are also vehicle scales and are therefore subject to the vehicle scale requirements. The definition of vehicle scale, however, does not appear to include a scale that would be used to weigh livestock. In addition, should the title to s. ATCP 92.30 (1) be amended to include the phrase “OR LIVESTOCK”, since that rule requires a permit to be obtained before any person may install or relocate a livestock scale?

4. Adequacy of References to Related Statutes, Rules and Forms

In the analysis, it would be helpful if the statutory provisions that were amended or created by 2009 Wisconsin Act 28 were so designated. (For example, the last citation in the “Statutes Interpreted” listing could be changed to “s. 98.255, as created by 2009 Wisconsin Act 28”.)