



**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1995 ASSEMBLY BILL 557**

September 30, 1995 - Offered by COMMITTEE ON FINANCE.

1     **AN ACT** *to repeal* 20.395 (2) (bt), 20.395 (4) (bh), 85.50, 86.30 (2) (a) 3. c., 86.32  
2           (2) (am) 5. and 6., 114.002 (4), 114.002 (13), 114.20 (2) (c), 114.20 (7), 114.20 (13)  
3           (b) 3., 166.20 (7g), 341.14 (6r) (b) 3., 343.03 (1) (c), 343.03 (8), 343.14 (4) and  
4           343.265 (1) (a) and (b); **to renumber** 85.085 (1); **to renumber and amend**  
5           20.395 (1) (bw), 85.26 (2) (a), 114.20 (9) (a) to (c), 341.297 (2), 343.05 (4) (a) 3.  
6           and 343.265 (1) (intro.); **to amend** 20.395 (2) (br), 20.395 (2) (bu), 20.395 (3)  
7           (bq), 20.395 (3) (bv), 20.395 (3) (bx), 20.395 (3) (cq), 20.395 (3) (cv), 20.395 (3)  
8           (cx), 20.395 (3) (eq), 20.395 (3) (ev), 20.395 (3) (ex), 20.395 (5) (cq), 20.395 (5)  
9           (dk), 20.505 (1) (md), 20.866 (2) (uv), 20.866 (2) (uw), 70.337 (7), 78.01 (1), 78.01  
10          (2) (e), 78.01 (2m) (f), 78.12 (2) (intro.), 78.12 (4) (a) 4., 78.12 (4) (b) 2., 78.12 (5)  
11          (a), 78.40 (1), 78.49 (1) (a), 78.49 (1) (b), 78.75 (1m) (a) 2., 78.75 (1m) (a) 3., 84.013  
12          (3) (ye), 84.076 (5), 84.59 (6), 85.06 (2) (b), 85.061 (3), 85.08 (4m) (e) 1., 85.085  
13          (3), 85.21 (1), 85.21 (2) (b), 85.21 (3) (c), 85.243 (title), 85.243 (2) (a), 86.30 (2)  
14          (a) 3. d., 86.30 (9), 86.31 (3m), 86.315 (1), 110.08 (2), 114.002 (11), 114.20 (1)  
15          (title), 114.20 (1) (a), 114.20 (1) (b), 114.20 (2) (intro.), 114.20 (5), 114.20 (9) (d),  
16          114.20 (12), 114.20 (13) (b) 1., 114.20 (13) (b) 2., 114.20 (13) (b) 5., 114.20 (15)

1 (b), 121.555 (2) (c) 1., 218.01 (2) (bd) 1g., 218.01 (2) (bd) 1r., 218.01 (2c) (c), 218.01  
2 (3) (a) 24., 218.01 (3x) (b) 2., 218.01 (3x) (b) 3., 218.01 (3x) (c) 1. (intro.), 218.01  
3 (3x) (c) 2., 218.01 (7m) (a), 218.01 (7m) (c), 340.01 (7m), 340.01 (7r), 341.08 (4),  
4 341.14 (6r) (b) 2., 341.14 (6r) (b) 4., 341.14 (6r) (b) 5., 341.26 (3) (a) 1., 341.43,  
5 341.45 (title), 341.45 (1g) (a), 341.45 (1g) (b), 341.45 (2), 341.45 (3), 341.45 (5),  
6 343.02 (1), 343.03 (1) (a), 343.03 (1) (b), 343.03 (5), 343.05 (2) (a) 2., 343.05 (2)  
7 (c), 343.055 (5), 343.06 (1) (c), 343.06 (2), 343.065 (title), 343.065 (1), 343.065 (2),  
8 343.10 (2) (a) 1., 343.10 (10) (a), 343.12 (2) (h), 343.16 (1) (a), 343.17 (3) (e) 1.,  
9 343.21 (1) (g), 343.23 (2), 343.24 (2m), 343.245 (3) (b) 3. and 4., 343.245 (4) (b),  
10 343.28 (1), 343.28 (2), 343.305 (10) (em), 343.315 (2) (f) (intro.), 343.315 (3) (a),  
11 343.315 (3) (b), 343.32 (4), 343.325 (title), 343.325 (2), 343.325 (3), 343.325 (3m),  
12 343.325 (4), 343.325 (5), 343.325 (6) (a), 343.44 (title), 343.44 (1), 343.44 (3),  
13 344.12, 344.14 (2) (e), 346.70 (1), 348.15 (3) (bg), (br), (bv) and (e), 348.175,  
14 348.19 (2) (b) and (4), 348.27 (4), (9m) and (9r) and 967.055 (2) (a); **to repeal**  
15 **and recreate** 20.395 (2) (bq) (title), 78.40 (1), 218.01 (2) (bd) 1g., 218.01 (3x) (b)  
16 2., 218.01 (3x) (b) 3. and 343.03 (1) (title); and **to create** 20.395 (1) (bw), 20.490  
17 (3), 20.855 (4) (r), 25.40 (1) (a) 12., 25.40 (1) (a) 13., 25.40 (2) (b) 15g., 25.40 (2)  
18 (b) 20d., 25.40 (2) (b) 23m., 73.03 (29m), 73.03 (53), 78.005 (13g), 78.017, 78.407,  
19 84.013 (3) (kb) to (km), 85.022 (2), 85.06 (4), 85.085 (1b), 85.20 (7), 85.21 (5),  
20 85.243 (2) (b) 5., 85.26 (2) (a) 2., 86.30 (2) (a) 3. e., 86.30 (2) (a) 3. f., 86.32 (2) (am)  
21 8., 86.32 (2) (am) 9., 114.20 (9m) (intro.), 234.665, 341.08 (2) (am), 341.08 (2)  
22 (cm), 341.08 (8), 341.145 (3m), 341.21, 341.297 (2) (b), 341.45 (4g), 341.45 (4m),  
23 343.01 (2) (cb), 343.05 (2) (c) 2., 343.21 (1) (jm), 343.21 (1) (m), 343.245 (3) (b)  
24 5., 343.315 (2) (fm), 343.315 (2) (h), 343.315 (2) (i), 343.44 (4r) and 349.02 (3) of  
25 the statutes; **relating to:** state finances and appropriations for the department

1 of transportation; providing refunds to certain retailers; the rates for the motor  
2 vehicle fuel tax and the alternate fuels tax; the reporting date and payment  
3 date for the motor vehicle fuel tax; taxation of motor vehicle fuel that is not sold  
4 for use on highways; motor vehicle fuel and alternate fuel taxes and qualified  
5 motor vehicles; the international fuel tax agreement and the petroleum product  
6 inspection fee; authorizing construction of additional major highway projects;  
7 aids for county forest roads; vehicle weight limit exceptions on a part of the  
8 national system of interstate and defense highways; numerous changes to the  
9 classified driver license system and commercial motor vehicle operation;  
10 eligibility for an occupational license; demerit point reduction for completion of  
11 a rider course relating to Type 1 motorcycle operation; vehicle accidents  
12 resulting in property damage; the use of photo radar speed detection in the  
13 enforcement of state and local traffic laws; performance of motor vehicle  
14 registration and titling functions by motor vehicle dealers; farm truck  
15 registration; the fees for issuing, reissuing and renewing certain motor vehicle  
16 registration plates; the fee for furnishing certain operators' records; local  
17 transportation and connecting highway aids; creation of a state trunk highway;  
18 the funding of the urban mass transit operating assistance program; funding  
19 for a study of high-speed rail service; creating a rail passenger service grant  
20 program; service improvement projects for transportation services for the  
21 elderly and disabled; repaving a portion of I 43 in Milwaukee County;  
22 authorizing the department of transportation to conduct projects under the  
23 surface transportation discretionary grants program; railroad rehabilitation  
24 and construction loans; rehabilitation of private road crossings; the  
25 employment transit assistance program; the registration period and fees

1 applicable to aircraft; eliminating hazardous materials transportation fees;  
 2 delaying the expiration date of the disadvantaged business demonstration and  
 3 training program; rail passenger service; exempting railroad property acquired  
 4 by the department of transportation from the tax-exempt property reporting  
 5 requirement; auditing the department of transportation; the sale of surplus  
 6 land; granting bonding authority; granting rule-making authority; making  
 7 appropriations; and providing penalties.

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

8 **SECTION 1.** 20.005 (3) (schedule) of the statutes, as it affects 20.395 of the  
 9 statutes, is repealed and recreated to read:

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
<b>20.395 Transportation, department of</b>				
(1) AIDS				
(ar) Corrections of transportation aid payments	SEG	S	-0-	-0-
(as) Transportation aids to counties, state funds	SEG	A	68,809,500	73,473,900
(at) Transportation aids to municipalities, state funds	SEG	A	213,556,100	221,474,000
(bq) Transit operating aids, state funds	SEG	A	70,460,000	73,406,200
(br) Milwaukee urban area rail transit system planning study, state funds	SEG	A	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(bs) Demand management and				
2	ride-sharing grants, state funds	SEG	A	300,000	300,000
3	(bt) Urban rail transit system grants	SEG	C	-0-	-0-
4	(bu) Supplemental transit operating				
5	aids, state funds	SEG	A	3,952,800	5,931,000
6	(bv) Transit aids, local funds	SEG-L	C	-0-	-0-
7	(bw) Employment transit aids, state				
8	funds	SEG	A	596,500	-0-
9	(bx) Transit aids, federal funds	SEG-F	C	13,800,000	6,600,000
10	(by) Employment transit aids, federal				
11	funds	SEG-F	C	-0-	-0-
12	(bz) Employment transit aids, federal				
13	oil overcharge funds	SEG-F	C	-0-	-0-
14	(cq) Elderly and disabled capital aids,				
15	state funds	SEG	A	733,700	755,700
16	(cr) Elderly and disabled county aids,				
17	state funds	SEG	A	6,605,600	6,766,300
18	(cv) Elderly and disabled aids, local				
19	funds	SEG-L	C	458,400	463,900
20	(cx) Elderly and disabled aids, federal				
21	funds	SEG-F	C	1,100,000	1,100,000
22	(ex) Highway safety, local assistance,				
23	federal funds	SEG-F	C	1,700,000	1,700,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(fq) Connecting highways aids, state				
2	funds	SEG	A	11,584,500	11,996,400
3	(fs) Flood damage aids, state funds	SEG	S	600,000	600,000
4	(ft) Lift bridge aids, state funds	SEG	B	1,355,300	1,494,700
5	(fu) County forest road aids, state funds	SEG	A	541,500	541,500
6	(gq) Expressway policing aids, state				
7	funds	SEG	A	828,400	853,300
	(1) PROGRAM TOTALS				
	SEGREGATED FUNDS			396,982,300	407,456,900
	FEDERAL			(16,600,000)	(9,400,000)
	OTHER			(379,923,900)	(397,593,000)
	LOCAL			(458,400)	(463,900)
	TOTAL-ALL SOURCES			396,982,300	407,456,900
8	(2) LOCAL TRANSPORTATION ASSISTANCE				
9	(aq) Accelerated local bridge				
10	improvement assistance, state				
11	funds	SEG	C	7,403,000	1,000,000
12	(av) Accelerated local bridge				
13	improvement assistance, local				
14	funds	SEG-L	C	1,850,800	250,000
15	(ax) Accelerated local bridge				
16	improvement assistance, federal				
17	funds	SEG-F	C	-0-	-0-
18	(bq) Rail service assistance, state funds	SEG	C	656,400	656,400
19	(br) Rail passenger service, state funds	SEG	B	572,500	572,500

**SECTION 1**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(bu) Freight rail infrastructure				
2	improvements, state funds	SEG	C	5,579,800	5,579,800
3	(bv) Rail service assistance, local funds	SEG-L	C	500,000	500,000
4	(bw) Freight rail assistance loan				
5	repayments, local funds	SEG-L	C	-0-	-0-
6	(bx) Rail service assistance, federal				
7	funds	SEG-F	C	50,000	50,000
8	(cq) Harbor assistance, state funds	SEG	C	580,700	580,700
9	(dq) Aeronautics assistance, state funds	SEG	C	12,888,900	12,888,900
10	(dv) Aeronautics assistance, local funds	SEG-L	C	6,985,200	6,985,200
11	(dx) Aeronautics assistance, federal				
12	funds	SEG-F	C	20,000,000	20,000,000
13	(eq) Highway and local bridge				
14	improvement assistance, state				
15	funds	SEG	C	7,833,100	8,973,200
16	(ev) Local bridge improvement				
17	assistance, local funds	SEG-L	C	8,142,500	8,428,200
18	(ex) Local bridge improvement				
19	assistance, federal funds	SEG-F	C	24,538,200	24,538,200
20	(fr) Local roads improvement program,				
21	state funds	SEG	C	11,281,400	11,563,400
22	(fv) Local transportation facility				
23	improvement assistance, local				
24	funds	SEG-L	C	25,428,400	25,710,400

**SECTION 1**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(fx) Local transportation facility				
2	improvement assistance, federal				
3	funds	SEG-F	C	56,138,000	56,138,000
4	(gq) Railroad crossing improvement and				
5	protection maintenance, state funds	SEG	A	2,250,000	2,250,000
6	(gr) Railroad crossing improvement and				
7	protection installation, state funds	SEG	A	450,000	450,000
8	(gs) Railroad crossing repair assistance,				
9	state funds	SEG	C	-0-	-0-
10	(gv) Railroad crossing improvement,				
11	local funds	SEG-L	C	-0-	-0-
12	(gx) Railroad crossing improvement,				
13	federal funds	SEG-F	C	1,849,300	1,849,300
14	(hq) Multimodal transportation studies,				
15	state funds	SEG	C	750,000	750,000
16	(hx) Multimodal transportation studies,				
17	federal funds	SEG-F	C	-0-	-0-
18	(iq) Transportation facilities economic				
19	assistance and development, state				
20	funds	SEG	C	3,605,000	3,713,200
21	(iv) Transportation facilities economic				
22	assistance and development, local				
23	funds	SEG-L	C	3,605,000	3,713,200
24	(iw) Transportation facility				
25	improvement loans, local funds	SEG-L	C	-0-	-0-

**SECTION 1**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(ix) Transportation facilities economic				
2	assistance & development, federal				
3	funds	SEG-F	C	-0-	-0-
4	(jq) Surface transportation grants, state				
5	funds	SEG	C	-0-	-0-
6	(jv) Surface transportation grants, local				
7	funds	SEG-L	C	680,000	680,000
8	(jx) Surface transportation grants,				
9	federal funds	SEG-F	C	2,720,000	2,720,000
10	(kv) Congestion mitigation and air				
11	quality improvement, local funds	SEG-L	C	1,502,400	1,502,400
12	(kx) Congestion mitigation and air				
13	quality improvement, federal funds	SEG-F	C	6,009,500	6,009,500
14	(mq) Local assistance administration,				
15	state funds	SEG	A	1,389,900	1,387,600
16	(mv) Local assistance administration,				
17	local funds	SEG-L	C	-0-	-0-
18	(mx) Local assistance administration,				
19	federal funds	SEG-F	C	300,000	300,000
	(2) PROGRAM TOTALS				
	SEGREGATED FUNDS			215,540,000	209,740,100
	FEDERAL			(111,605,000)	(111,605,000)
	OTHER			(55,240,700)	(50,365,700)
	LOCAL			(48,694,300)	(47,769,400)
	TOTAL-ALL SOURCES			215,540,000	209,740,100
20	(3) STATE HIGHWAY FACILITIES				

**SECTION 1**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(bq) Major highway development, state				
2	funds	SEG	C	12,441,800	12,498,200
3	(br) Major highway development,				
4	service funds	SEG-S	C	105,551,800	109,804,700
5	(bv) Major highway development, local				
6	funds	SEG-L	C	-0-	-0-
7	(bx) Major highway development,				
8	federal funds	SEG-F	C	59,550,500	61,337,000
9	(cq) State highway rehabilitation, state				
10	funds	SEG	C	249,303,400	273,761,400
11	(cv) State highway rehabilitation, local				
12	funds	SEG-L	C	2,000,000	2,000,000
13	(cx) State highway rehabilitation,				
14	federal funds	SEG-F	C	168,166,000	166,379,500
15	(eq) Highway maintenance, repair and				
16	traffic operations, state funds	SEG	B	140,108,700	143,917,400
17	(ev) Highway maintenance, repair and				
18	traffic operations, local funds	SEG-L	C	250,000	250,000
19	(ex) Highway maintenance, repair and				
20	traffic operations, federal funds	SEG-F	C	-0-	-0-
21	(iq) Administration and planning, state				
22	funds	SEG	A	17,216,300	17,216,300
23	(ir) Disadvantaged business				
24	mobilization assistance, state funds	SEG	C	-0-	-0-

**SECTION 1**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(iv) Administration and planning, local				
2	funds	SEG-L	C	-0-	-0-
3	(ix) Administration and planning,				
4	federal funds	SEG-F	C	3,282,700	3,282,700
<b>(3) PROGRAM TOTALS</b>					
	<b>SEGREGATED FUNDS</b>			<b>757,871,200</b>	<b>790,447,200</b>
	<b>FEDERAL</b>			<b>(230,999,200)</b>	<b>(230,999,200)</b>
	<b>OTHER</b>			<b>(419,070,200)</b>	<b>(447,393,300)</b>
	<b>SERVICE</b>			<b>(105,551,800)</b>	<b>(109,804,700)</b>
	<b>LOCAL</b>			<b>(2,250,000)</b>	<b>(2,250,000)</b>
	<b>TOTAL-ALL SOURCES</b>			<b>757,871,200</b>	<b>790,447,200</b>
5	(4) GENERAL TRANSPORTATION OPERATIONS				
6	(aq) Departmental management and				
7	operations, state funds	SEG	A	38,487,400	38,301,600
8	(ar) Minor construction projects, state				
9	funds	SEG	C	710,000	576,000
10	(as) Information technology				
11	development projects	PR-S	A	-0-	-0-
12	(at) Capital building projects, service				
13	funds	SEG-S	C	2,000,000	2,785,400
14	(av) Departmental management and				
15	operations, local funds	SEG-L	C	369,000	369,000
16	(ax) Departmental management and				
17	operations, federal funds	SEG-F	C	6,825,000	6,825,000
18	(ch) Gifts and grants	PR	C	-0-	-0-
19	(dq) Demand management	SEG	A	250,500	250,500

**SECTION 1**

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(eq) Data processing services, service				
2	funds	SEG-S	C	15,109,600	15,109,600
3	(er) Fleet operations, service funds	SEG-S	C	11,413,900	11,413,900
4	(es) Other department services,				
5	operations, service funds	SEG-S	C	1,119,800	1,119,800
6	(et) Equipment acquisition	SEG	A	-0-	-0-
<b>(4) PROGRAM TOTALS</b>					
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			76,285,200	76,750,800
	FEDERAL			(6,825,000)	(6,825,000)
	OTHER			(39,447,900)	(39,128,100)
	SERVICE			(29,643,300)	(30,428,700)
	LOCAL			(369,000)	(369,000)
	TOTAL-ALL SOURCES			76,285,200	76,750,800
7	(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				
8	(cg) Vehicle registration, telephone				
9	renewal transactions, state funds	PR	C	-0-	-0-
10	(ch) Repaired salvage vehicle				
11	examinations, state funds	PR	C	-0-	-0-
12	(cq) Vehicle reg., inspection &				
13	maintenance & driver licensing,				
14	state funds	SEG	A	60,726,500	61,403,900
15	(cx) Vehicle registration and driver				
16	licensing, federal funds	SEG-F	C	200,000	200,000
17	(dk) Public safety radio management,				
18	service funds	PR-S	C	143,600	143,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(dq) Vehicle inspection, traffic				
2	enforcement and radio				
3	management, state funds	SEG	A	37,801,100	38,185,200
4	(dx) Vehicle inspection and traffic				
5	enforcement, federal funds	SEG-F	C	2,029,300	2,029,300
6	(hq) Motor veh. emission insp. and				
7	maint. program; contractor costs;				
8	state funds	SEG	A	8,021,700	8,021,700
9	(hx) Motor vehicle emission inspection				
10	and maintenance programs, federal				
11	funds	SEG-F	C	-0-	-0-
12	(iv) Municipal and county registration				
13	fee, local funds	SEG-L	C	-0-	-0-
	(5) PROGRAM TOTALS				
	PROGRAM REVENUE			143,600	143,600
	OTHER			(-0-)	(-0-)
	SERVICE			(143,600)	(143,600)
	SEGREGATED FUNDS			108,778,600	109,840,100
	FEDERAL			(2,229,300)	(2,229,300)
	OTHER			(106,549,300)	(107,610,800)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			108,922,200	109,983,700
14	(6) DEBT SERVICES				
15	(aq) Principal repayment and interest,				
16	transportation facilities, state funds	SEG	S	8,643,300	7,241,500
17	(ar) Principal repayment and interest,				
18	buildings, state funds	SEG	S	686,800	645,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1 (as) Transportation facilities and				
2 highway projects revenue				
3 obligation repayment	SEG	C	-0-	-0-
(6) PROGRAM TOTALS				
SEGREGATED FUNDS			9,330,100	7,886,600
OTHER			(9,330,100)	(7,886,600)
TOTAL-ALL SOURCES			9,330,100	7,886,600
20.395 DEPARTMENT TOTALS				
PROGRAM REVENUE			143,600	143,600
OTHER			(-0-)	(-0-)
SERVICE			(143,600)	(143,600)
SEGREGATED FUNDS			1,564,787,400	1,602,121,700
FEDERAL			(368,258,500)	(361,058,500)
OTHER			(1,009,562,100)	(1,049,977,500)
SERVICE			(135,195,100)	(140,233,400)
LOCAL			(51,771,700)	(50,852,300)
TOTAL-ALL SOURCES			1,564,931,000	1,602,265,300

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5 **SECTION 2.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert

6 the following amounts for the purposes indicated:

			1995-96	1996-97
7				
8	<b>20.445</b>	<b>Industry, labor and human relations,</b>		
9		<b>department of</b>		
10	(1)	INDUSTRY, LABOR AND HUMAN RELATIONS		
11	(ny)	Employment transit aids, state		
12		funds	SEG	A
			-0-	614,400

13 **SECTION 7.** 20.395 (1) (bw) of the statutes is created to read:

14 20.395 (1) (bw) *Employment transit aids, state funds.* The amounts in the

15 schedule for the employment transit assistance program under s. 85.26.

1           **SECTION 8.** 20.395 (1) (bw) of the statutes, as created by 1995 Wisconsin Act ...  
2 (this act), is renumbered 20.445 (1) (ny) and amended to read:

3           20.445 (1) (ny) *Employment transit aids, state funds.* ~~The~~ From the  
4 transportation fund, the amounts in the schedule for the employment transit  
5 assistance program under s. ~~85.26~~ 106.26.

6           **SECTION 9.** 20.395 (2) (bq) (title) of the statutes is repealed and recreated to  
7 read:

8           20.395 (2) (bq) (title) *Rail service assistance, state funds.*

9           **SECTION 9m.** 20.395 (2) (br) of the statutes is amended to read:

10           20.395 (2) (br) *Rail passenger service, state funds.* Biennially, the amounts in  
11 the schedule for purposes of rail passenger service assistance and promotion under  
12 s. 85.06 (1) to (3).

13           **SECTION 10.** 20.395 (2) (bt) of the statutes is repealed.

14           **SECTION 11.** 20.395 (2) (bu) of the statutes is amended to read:

15           20.395 (2) (bu) *Freight rail infrastructure improvements, state funds.* As a  
16 continuing appropriation, the amounts in the schedule for loans under s. 85.08 (4m)  
17 (d) and (e) and to make payments under s. 85.085.

18           **SECTION 13.** 20.395 (3) (bq) of the statutes is amended to read:

19           20.395 (3) (bq) *Major highway development, state funds.* As a continuing  
20 appropriation, the amounts in the schedule for major development of state trunk and  
21 connecting highways and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged  
22 business demonstration and training program under s. 84.076.

23           **SECTION 14.** 20.395 (3) (bv) of the statutes is amended to read:

24           20.395 (3) (bv) *Major highway development, local funds.* All moneys received  
25 from any local unit of government or other source for major development of state

1 trunk and connecting highways, including the railroad and utility alteration and  
2 relocation loan program under s. 84.065, and, before ~~July 1, 1995~~ October 1, 1997,  
3 the disadvantaged business demonstration and training program under s. 84.076,  
4 for such purposes.

5 **SECTION 15.** 20.395 (3) (bx) of the statutes is amended to read:

6 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received  
7 from the federal government for major development of state trunk and connecting  
8 highways and, before ~~July 1, 1995~~ October 1, 1997, the disadvantaged business  
9 demonstration and training program under s. 84.076, for such purposes.

10 **SECTION 16.** 20.395 (3) (cq) of the statutes is amended to read:

11 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing  
12 appropriation, the amounts in the schedule for improvement of existing state trunk  
13 and connecting highways; for improvement of bridges on state trunk or connecting  
14 highways and other bridges for which improvement is a state responsibility, for  
15 necessary approach work for such bridges and for replacement of such bridges with  
16 at-grade crossing improvements; for the construction and rehabilitation of the  
17 national system of interstate and defense highways and bridges and related  
18 appurtenances; for special maintenance activities under s. 84.04 on roadside  
19 improvements; for bridges under s. 84.10; for payment to a local unit of government  
20 for a jurisdictional transfer under s. 84.02 (8); and, before ~~July 1, 1995~~ October 1,  
21 1997, for the disadvantaged business demonstration and training program under s.  
22 84.076.

23 **SECTION 17.** 20.395 (3) (cv) of the statutes is amended to read:

24 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received  
25 from any local unit of government or other source for the specific information sign

1 program under s. 86.195; for improvement of existing state trunk and connecting  
2 highways; for improvement of bridges on state trunk or connecting highways and  
3 other bridges for which improvement is a state responsibility, for necessary approach  
4 work for such bridges and for replacement of such bridges with at-grade crossing  
5 improvements; for the construction and rehabilitation of the national system of  
6 interstate and defense highways and bridges and related appurtenances; for special  
7 maintenance activities under s. 84.04 on roadside improvements; for the railroad  
8 and utility alteration and relocation loan program under s. 84.065 and, before July  
9 1, 1995 October 1, 1997, for the disadvantaged business demonstration and training  
10 program under s. 84.076, for such purposes.

11 **SECTION 18.** 20.395 (3) (cx) of the statutes is amended to read:

12 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys  
13 received from the federal government for improvement of existing state trunk and  
14 connecting highways; for improvement of bridges on state trunk or connecting  
15 highways and other bridges for which improvement is a state responsibility, for  
16 necessary approach work for such bridges and for replacement of such bridges with  
17 at-grade crossing improvements; for the construction and rehabilitation of the  
18 national system of interstate and defense highways and bridges and related  
19 appurtenances; for special maintenance activities under s. 84.04 on roadside  
20 improvements and, before July 1, 1995 October 1, 1997, for the disadvantaged  
21 business demonstration and training program under s. 84.076, for such purposes.

22 **SECTION 19.** 20.395 (3) (eq) of the statutes is amended to read:

23 20.395 (3) (eq) *Highway maintenance, repair and traffic operations, state*  
24 *funds.* Biennially, the amounts in the schedule for the maintenance and repair of  
25 roadside improvements under s. 84.04, state trunk highways under s. 84.07 and

1 bridges that are not on the state trunk highway system under s. 84.10; for highway  
2 operations such as permit issuance, pavement marking, highway signing, traffic  
3 signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27  
4 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business  
5 demonstration and training program under s. 84.076. This paragraph does not apply  
6 to special maintenance activities under s. 84.04 on roadside improvements.

7 **SECTION 20.** 20.395 (3) (ev) of the statutes is amended to read:

8 20.395 (3) (ev) *Highway maintenance, repair and traffic operations, local*  
9 *funds.* All moneys received from any local unit of government or other sources for  
10 the maintenance and repair of roadside improvements under s. 84.04, state trunk  
11 highways under s. 84.07 and bridges that are not on the state trunk highway system  
12 under s. 84.10; for signing under s. 86.195; for highway operations such as permit  
13 issuance, pavement marking, highway signing, traffic signalization and highway  
14 lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; and, before  
15 ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and  
16 training program under s. 84.076; for such purposes. This paragraph does not apply  
17 to special maintenance activities under s. 84.04 on roadside improvements.

18 **SECTION 21.** 20.395 (3) (ex) of the statutes is amended to read:

19 20.395 (3) (ex) *Highway maintenance, repair and traffic operations, federal*  
20 *funds.* All moneys received from the federal government for the maintenance and  
21 repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07  
22 and bridges that are not on the state trunk highway system under s. 84.10; for  
23 highway operations such as permit issuance, pavement marking, highway signing,  
24 traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25  
25 to 348.27 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged

1 business demonstration and training program under s. 84.076; for such purposes.  
2 This paragraph does not apply to special maintenance activities under s. 84.04 on  
3 roadside improvements.

4 **SECTION 22.** 20.395 (4) (bh) of the statutes is repealed.

5 **SECTION 23.** 20.395 (5) (cq) of the statutes is amended to read:

6 20.395 (5) (cq) *Vehicle registration, inspection and maintenance and driver*  
7 *licensing, state funds.* The amounts in the schedule for administering the vehicle  
8 registration and driver licensing program, including the traffic violation and  
9 registration program and the driver license reinstatement training program under  
10 s. 85.28, for administering the motor vehicle emission inspection and maintenance  
11 program under s. 110.20, for the training of inspectors under s. 110.22, for  
12 administering the fuel tax and fee reporting program under s. 341.45 and to  
13 compensate for services performed, as determined by the secretary of transportation,  
14 by any county providing registration services.

15 **SECTION 24.** 20.395 (5) (dk) of the statutes is amended to read:

16 20.395 (5) (dk) *Public safety radio management, service funds.* From the  
17 general fund, all moneys received by the department from the department and from  
18 other state agencies for purposes related to the statewide public safety radio  
19 management program under s. 85.12, for that purpose.

20 **SECTION 24m.** 20.490 (3) of the statutes is created to read:

21 20.490 (3) RAIL PASSENGER SERVICE GRANT PROGRAM. (q) *Transfer for grants.*  
22 From the transportation fund, all moneys received from the appropriation account  
23 under s. 20.865 (4) (u) for the purpose of making the grants under s. 234.665.

24 **SECTION 25.** 20.505 (1) (md) of the statutes is amended to read:

1           20.505 (1) (md) *Oil overcharge restitution funds*. All federal moneys received  
2 as oil overcharge funds, as defined in s. 14.065 (1), for expenditure under proposals  
3 approved by the joint committee on finance under s. 14.065 ~~and for transfers under~~  
4 ~~1993 Wisconsin Act 16, section 9201 (1z)~~.

5           **SECTION 28m.** 20.855 (4) (r) of the statutes is created to read:

6           20.855 (4) (r) *Border area fuel tax rebates*. From the transportation fund, a sum  
7 sufficient to make the payments under s. 73.03 (53).

8           **SECTION 29.** 20.866 (2) (uv) of the statutes is amended to read:

9           20.866 (2) (uv) *Transportation, harbor improvements*. From the capital  
10 improvement fund, a sum sufficient for the department of transportation to provide  
11 grants for harbor improvements. The state may contract public debt in an amount  
12 not to exceed \$9,000,000 \$12,000,000 for this purpose.

13           **SECTION 30.** 20.866 (2) (uw) of the statutes is amended to read:

14           20.866 (2) (uw) *Transportation; rail acquisitions and improvements*. From the  
15 capital improvement fund, a sum sufficient for the department of transportation to  
16 acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and  
17 loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d);  
18 ~~and to credit the appropriation account under s. 20.395 (2) (bt) as reimbursement for~~  
19 ~~initial temporary funding of acquisitions, grants or loans authorized under 1993~~  
20 ~~Wisconsin Act 16, section 9154 (4n)~~. The state may contract public debt in an amount  
21 not to exceed \$10,000,000 \$14,500,000 for these purposes.

22           **SECTION 35.** 25.40 (1) (a) 12. of the statutes is created to read:

23           25.40 (1) (a) 12. Fees collected under s. 341.45 (1g) (a) that are required under  
24 s. 341.45 (4m) to be deposited in the petroleum inspection fund.

25           **SECTION 35m.** 25.40 (1) (a) 13. of the statutes is created to read:

1           25.40 (1) (a) 13. Fees collected under s. 341.145 (3) that are required by s.  
2           341.145 (3m) to be deposited in the veterans trust fund.

3           **SECTION 36.** 25.40 (2) (b) 15g. of the statutes is created to read:

4           25.40 (2) (b) 15g. Section 20.445 (1) (ny).

5           **SECTION 36g.** 25.40 (2) (b) 20d. of the statutes is created to read:

6           25.40 (2) (b) 20d. Section 20.490 (3) (q).

7           **SECTION 36m.** 25.40 (2) (b) 23m. of the statutes is created to read:

8           25.40 (2) (b) 23m. Section 20.855 (4) (r).

9           **SECTION 37.** 70.337 (7) of the statutes is amended to read:

10          70.337 (7) This section does not apply to property that is exempt under s. 70.11  
11          (13), (13m), (15), (15m), (21) or (30), property that is exempt under s. 70.11 (18) if a  
12          payment in lieu of taxes is made for that property, lake beds owned by the state, state  
13          forests under s. 28.03 or 28.035, county forests under s. 28.10, property acquired by  
14          the department of transportation under s. 85.08 (2) (L) or 85.09 or highways, as  
15          defined in s. 340.01 (22).

16          **SECTION 40.** 73.03 (29m) of the statutes is created to read:

17          73.03 (29m) To provide on an appropriate tax form, as determined by the  
18          secretary of revenue, a place for taxpayers to certify that they had at least \$6,000 in  
19          gross farm profits, as defined in s. 71.58 (4), for the applicable taxable year.

20          **SECTION 40m.** 73.03 (53) of the statutes is created to read:

21          73.03 (53) Upon application, to establish areas, which last for one year, based  
22          on competitive need; as evidenced by the need to minimize sales lost to retailers in  
23          other states, the difference between the total of the taxes and fees on gasoline in this  
24          state and the neighboring state, the distance between retailers in this state and the  
25          nearest retailer in a neighboring state, the chance of regaining customers lost to

1 retailers in other states, the economic importance of fuel retailers to their  
2 communities and the impact on this state of the loss of tax revenue due to sales lost  
3 to retailers in other states; in which all motor vehicle fuel dealers will be paid rebates  
4 of state taxes and fees on that gasoline if the total of the fees and taxes on gasoline  
5 imposed by this state exceed the total of those fees and taxes imposed by the  
6 neighboring state by more than 5 cents per gallon, to establish the amount of the  
7 rebate and to certify to the department of administration the amount due each  
8 retailer for payment quarterly from the appropriation under s. 20.855 (4) (r). If the  
9 sum of the rebates for a quarter is more than 25% of the amount appropriated for the  
10 fiscal year, the department of administration shall prorate the rebates. If the sum  
11 of the rebates for a quarter is less than 25% of the amount appropriated for the fiscal  
12 year, the department of administration shall retain the excess in the appropriation  
13 account for future rebates.

14 **SECTION 41.** 78.005 (13g) of the statutes is created to read:

15 78.005 (13g) "Recreational motorboat" means a motorboat used predominately  
16 for the entertainment, amusement or recreation of the owner of the motorboat,  
17 whether or not it is used in a trade or business.

18 **SECTION 41m.** 78.01 (1) of the statutes is amended to read:

19 78.01 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate  
20 determined under ~~s.~~ ss. 78.015 and 78.017 is imposed on all motor vehicle fuel  
21 received by a supplier for sale in this state, for sale for export to this state or for export  
22 to this state except as otherwise provided in this chapter. The motor vehicle fuel tax  
23 is to be computed and paid as provided in this chapter. Except as otherwise provided  
24 in this chapter, a person who receives motor vehicle fuel under s. 78.07 shall collect  
25 from the purchaser of the motor vehicle fuel that is received, and the purchaser shall

1 pay to the person who receives the motor vehicle fuel under s. 78.07, the tax imposed  
2 by this section on each sale of motor vehicle fuel at the time of the sale, irrespective  
3 of whether the sale is for cash or on credit. In each subsequent sale or distribution  
4 of motor vehicle fuel on which the tax has been collected as provided in this  
5 subsection, the tax collected shall be added to the selling price so that the tax is paid  
6 ultimately by the user of the motor vehicle fuel.

7 **SECTION 42.** 78.01 (2) (e) of the statutes is amended to read:

8 78.01 (2) (e) Gasoline sold for nonhighway use in mobile machinery and  
9 equipment; other than use in a snowmobile, an all-terrain vehicle that is not  
10 registered for private use under s. 23.33 (2) (d) or a recreational motorboat; and  
11 delivered directly into the consumer's storage tank in an amount of not less than 100  
12 gallons.

13 **SECTION 43.** 78.01 (2m) (f) of the statutes is amended to read:

14 78.01 (2m) (f) It is sold for off-highway use other than use in a snowmobile, an  
15 all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or a  
16 recreational motorboat or if no claim for a refund for the tax on the diesel fuel may  
17 be made under s. 78.75 (1m) (a) 3.

18 **SECTION 44m.** 78.017 of the statutes is created to read:

19 **78.017 Adjustment in 1995.** On December 1, 1995, the rate of the tax imposed  
20 under s. 78.01 (1) is increased by 2.9 cents per gallon.

21 **SECTION 45.** 78.12 (2) (intro.) of the statutes is amended to read:

22 78.12 (2) **REPORTS OF LICENSEES.** (intro.) Each licensee shall, not later than the  
23 last 20th day of each month, file with the department, or, if the department so  
24 requires, file electronically with any state agency that the department specifies, on

1 forms prescribed and furnished by the department, a report that indicates for the  
2 month before the month during which the report is due the following:

3 **SECTION 45g.** 78.12 (4) (a) 4. of the statutes is amended to read:

4 78.12 (4) (a) 4. Multiply the number of gallons under subd. 3. by the rate under  
5 s. 78.015 as increased under s. 78.017.

6 **SECTION 45r.** 78.12 (4) (b) 2. of the statutes is amended to read:

7 78.12 (4) (b) 2. Multiply the number of gallons under subd. 1. by the rate under  
8 s. 78.015 as increased under s. 78.017.

9 **SECTION 46.** 78.12 (5) (a) of the statutes is amended to read:

10 78.12 (5) (a) Licensed suppliers shall pay taxes on motor vehicle fuel no later  
11 than the ~~15th~~ 20th day of the month for motor vehicle fuel sold during the previous  
12 month. At the option of a wholesaler distributor, a licensed supplier shall allow the  
13 wholesaler distributor to delay paying the tax to the licensed supplier until the date  
14 that the tax is due to this state. A wholesaler distributor who makes delayed  
15 payments shall make the payments by electronic funds transfer. If a wholesaler  
16 distributor fails to make timely payments, the licensed supplier may terminate the  
17 right of the wholesaler distributor to make delayed payments. Each licensed  
18 supplier shall notify the department of each wholesaler distributor who makes  
19 delayed payments of the tax. The department may require any wholesaler  
20 distributor who makes delayed payments of the tax to file with the department a  
21 surety bond payable to this state in an amount not to exceed 3 times the highest  
22 estimated monthly tax owed by the wholesaler distributor. Whenever the  
23 wholesaler distributor pays the licensed supplier, the licensed supplier shall credit  
24 the wholesaler distributor's account for the amount of tax reduction that results from  
25 the calculation under s. 78.12 (4) (a) 2.

1           **SECTION 47.** 78.40 (1) of the statutes is amended to read:

2           78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate  
3           determined under s. 78.405 is imposed on the use of alternate fuels. The tax, with  
4           respect to all alternate fuel delivered by an alternate fuel dealer into supply tanks  
5           of motor vehicles in this state, attaches at the time of delivery and shall be collected  
6           by the dealer from the alternate fuels user and shall be paid to the department. The  
7           tax, with respect to alternate fuels acquired by any alternate fuels user other than  
8           by delivery by an alternate fuel dealer into a fuel supply tank of a motor vehicle, or  
9           of a snowmobile, an all-terrain vehicle that is not registered for private use under  
10          s. 23.33 (2) (d) or a recreational motorboat, attaches at the time of the use of the fuel  
11          and shall be paid to the department by the user. The department may permit any  
12          supplier of alternate fuels to report and pay to the department the tax on alternate  
13          fuels delivered into the storage facility of an alternate fuels user or retailer which will  
14          be consumed for alternate fuels tax purposes or sold at retail.

15          **SECTION 47g.** 78.40 (1) of the statutes, as affected by 1995 Wisconsin Act ...  
16          (this act), is repealed and recreated to read:

17          78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate  
18          determined under ss. 78.405 and 78.407 is imposed on the use of alternate fuels. The  
19          tax, with respect to all alternate fuel delivered by an alternate fuel dealer into supply  
20          tanks of motor vehicles in this state, attaches at the time of delivery and shall be  
21          collected by the dealer from the alternate fuels user and shall be paid to the  
22          department. The tax, with respect to alternate fuels acquired by any alternate fuels  
23          user other than by delivery by an alternate fuel dealer into a fuel supply tank of a  
24          motor vehicle, or of a snowmobile, an all-terrain vehicle that is not registered for  
25          private use under s. 23.33 (2) (d) or a recreational motorboat, attaches at the time of

1 the use of the fuel and shall be paid to the department by the user. The department  
2 may permit any supplier of alternate fuels to report and pay to the department the  
3 tax on alternate fuels delivered into the storage facility of an alternate fuels user or  
4 retailer which will be consumed for alternate fuels tax purposes or sold at retail.

5 **SECTION 47r.** 78.407 of the statutes is created to read:

6 **78.407 Adjustment in 1995.** On December 1, 1995, the rate of the tax imposed  
7 under s. 78.40 (1) is increased by 2.9 cents per gallon.

8 **SECTION 48.** 78.49 (1) (a) of the statutes is amended to read:

9 78.49 (1) (a) For the purpose of determining the amount of liability to the state  
10 for the tax under this subchapter, except as provided in par. (b), each alternate fuels  
11 licensee shall, not later than the last 20th day of each month, file a monthly report  
12 for the next preceding month with the department on forms furnished and prescribed  
13 by it. Such report shall contain a declaration by the licensee that the statements  
14 contained therein are accurate and are a true return of the amount of the alternate  
15 fuels tax due and shall be subscribed by the licensee or the licensee's duly authorized  
16 agent. The report shall show, with reference to each location at which an alternate  
17 fuel is delivered or placed by such licensee into a fuel supply tank of any motor  
18 vehicle, the information that the department reasonably requires for the proper  
19 administration and enforcement of the tax under this subchapter. The department  
20 shall give due consideration to the varying types of operations and transactions in  
21 specifying the information required.

22 **SECTION 49.** 78.49 (1) (b) of the statutes is amended to read:

23 78.49 (1) (b) The department may allow alternate fuels licensees whose tax  
24 liability is less than \$500 per quarter to file on a quarterly basis. Quarterly reports  
25 shall be mailed on or before the last 20th day of the next month following the end of

1 each calendar quarter. The report shall contain the declaration, subscription and  
2 information specified in par. (a).

3 **SECTION 50.** 78.75 (1m) (a) 2. of the statutes is amended to read:

4 78.75 (1m) (a) 2. A person who uses motor vehicle fuel or an alternate fuel upon  
5 which has been paid the tax required under this chapter for the purpose of operating  
6 a snowmobile, as defined under s. 340.01 (58a), an aircraft, as defined under s. 78.55  
7 (2), or a motorboat, as defined under s. 30.50 (6), unless the motorboat is exempt from  
8 registration as a motor vehicle under s. 341.05 (20) not a recreational motorboat, may  
9 not be reimbursed or repaid the amount of tax paid.

10 **SECTION 51.** 78.75 (1m) (a) 3. of the statutes is amended to read:

11 78.75 (1m) (a) 3. Claims under subd. 1. shall be made and filed upon forms  
12 prescribed and furnished by the department. The forms shall indicate that refunds  
13 are not available for motor vehicle fuel or alternate fuels used for motorboats, except  
14 motorboats exempt from registration as motor vehicles under s. 341.05 (20) and  
15 recreational motorboats, or motor vehicle fuel or alternate fuels used for  
16 snowmobiles and that the estimated snowmobile motor vehicle fuel or alternate fuels  
17 tax payments are used for snowmobile trails and areas. The forms shall indicate that  
18 refunds are not available for motor vehicle fuel or alternate fuels used for all-terrain  
19 vehicles unless the all-terrain vehicle is registered for private use under s. 23.33 (2)  
20 (d) and shall indicate that estimated all-terrain vehicle motor vehicle fuel or  
21 alternate fuels tax payments are used for all-terrain vehicle trails and areas. The  
22 forms shall also indicate that refunds are not available for the tax on less than 100  
23 gallons. The department shall distribute forms in sufficient quantities to each  
24 county clerk.

25 **SECTION 53.** 84.013 (3) (kb) to (km) of the statutes are created to read:

1           84.013 (3) (kb) USH 151 extending approximately 18.2 miles between USH 151  
2 west of Belmont and STH 23 south of Dodgeville, designated as the Belmont to  
3 Dodgeville project, in Lafayette and Iowa counties.

4           (kg) STH 16 and STH 16/67 extending approximately 7.4 miles from the  
5 junction of STH 16 with the Rock River to the STH 16/67 interchange east of  
6 Oconomowoc, designated as the Oconomowoc bypass, in Jefferson and Waukesha  
7 counties.

8           (km) USH 53 extending approximately 7.5 miles between USH 53 south of the  
9 USH 53/STH 93 interchange in Eau Claire and the USH 53/STH 124 interchange  
10 south of Chippewa Falls, designated as the Eau Claire freeway, in Eau Claire and  
11 Chippewa counties.

12           **SECTION 54.** 84.013 (3) (ye) of the statutes is amended to read:

13           84.013 (3) (ye) USH 10 between Appleton and Marshfield, in Winnebago,  
14 Outagamie, Waupaca, Portage and Wood counties.

15           **SECTION 55.** 84.076 (5) of the statutes is amended to read:

16           84.076 (5) SUNSET. This section does not apply after ~~June 30, 1995~~ September  
17 30, 1997.

18           **SECTION 57.** 84.59 (6) of the statutes is amended to read:

19           84.59 (6) Revenue obligations may be contracted by the building commission  
20 when it reasonably appears to the building commission that all obligations incurred  
21 under this section can be fully paid from moneys received or anticipated and pledged  
22 to be received on a timely basis. Revenue obligations issued under this section shall  
23 not exceed ~~\$950,834,000~~ \$1,082,539,400 in principal amount, excluding obligations  
24 issued to refund outstanding revenue obligations. Not more than ~~\$841,634,000~~

1     \$1,040,242,300 of the ~~\$950,834,000~~ \$1,082,539,400 may be used for transportation  
2 facilities under s. 84.01 (28) and major highway projects under ss. 84.06 and 84.09.

3           **SECTION 57m.** 85.022 (2) of the statutes is created to read:

4           85.022 (2) (a) The department shall allocate \$250,000 in each fiscal year of the  
5 1995-97 biennium from the appropriation under s. 20.395 (2) (hq) for a study of  
6 high-speed rail service in the southern transportation corridor between this state  
7 and the state of Minnesota.

8           (b) 1. Except as provided in subd. 2., funds may be expended under par. (a) only  
9 to match funds, at the ratio of 1 to 1, from the state of Minnesota for the study.

10           2. No funds may be expended under par. (a) unless the federal government  
11 contributes funds for a study under par. (a) in an amount equal to the total amount  
12 of funds from this state and the state of Minnesota for the study.

13           **SECTION 57p.** 85.06 (2) (b) of the statutes is amended to read:

14           85.06 (2) (b) Contract with Amtrak or an applicable railroad to provide rail  
15 passenger service.

16           **SECTION 57q.** 85.06 (4) of the statutes is created to read:

17           85.06 (4) RAIL PASSENGER SERVICE GRANTS. (a) There is established in the  
18 transportation fund a reserve account consisting of \$250,000 for the purpose of  
19 funding rail passenger service grants under s. 234.665. The reserve account under  
20 this paragraph shall be reduced by the amount of any supplemental appropriation  
21 made under s. 234.665 (3).

22           (b) This subsection does not apply after December 31, 1999.

23           **SECTION 57r.** 85.061 (3) of the statutes is amended to read:

24           85.061 (3) PROGRAM. The department shall administer a rail passenger route  
25 development program. From the appropriation under s. 20.866 (2) (up), the

1 department may fund capital costs related to Amtrak service extension routes or  
2 other rail service routes between the cities of Milwaukee and Madison and between  
3 the cities of Milwaukee and Green Bay. ~~The extension of the Any route between the~~  
4 cities of Milwaukee and Green Bay funded under the program shall provide service  
5 to population centers along the route in a manner that makes the route most  
6 economically feasible. The department may not use any proceeds from the bond issue  
7 authorized under s. 20.866 (2) (up) for ~~the extension of a route under this subsection~~  
8 unless the department submits evidence to the joint committee on finance that  
9 Amtrak or the applicable railroad has agreed to provide rail passenger service on  
10 that ~~extension~~ route and the joint committee on finance approves the use of the  
11 proceeds. The department may contract with Amtrak, railroads or other persons to  
12 perform the activities under this subsection.

13 **SECTION 58.** 85.08 (4m) (e) 1. of the statutes is amended to read:

14 85.08 (4m) (e) 1. Upon the request of an eligible applicant, the department may  
15 negotiate and enter into a loan agreement with the eligible applicant for purposes  
16 of rehabilitating a rail line or to finance an economic development and transportation  
17 efficiency project, including a project designed to promote safety or the viability of  
18 a statewide system of freight rail service, to assist intermodal freight movement or  
19 to provide industry access to a rail line. A loan made under this paragraph shall  
20 finance a project that confers a public benefit or enhances economic development in  
21 this state. Loans made under this paragraph shall be paid from the appropriation  
22 under s. 20.395 (2) ~~(bt)~~, (bu), (bw) or (bx).

23 **SECTION 59.** 85.085 (1) of the statutes is renumbered 85.085 (1m).

24 **SECTION 60.** 85.085 (1b) of the statutes is created to read:

1           85.085 (1b) In this section, “rehabilitated” means a significant rebuilding of  
2 railroad track that restores severely deteriorated track to a minimum service  
3 standard or, for track that is at or above a minimum service standard, that increases  
4 the service standard of the track.

5           **SECTION 61.** 85.085 (3) of the statutes is amended to read:

6           85.085 (3) The department shall not make any payment under this section  
7 unless the applicable private road crossing permit provides that the rail transit  
8 commission shall, at the user’s sole cost and expense, maintain, repair and renew the  
9 private road crossing. “Maintain, repair and renew” does not include any rebuilding  
10 of a private road crossing that is required because the applicable tracks have been  
11 rehabilitated.

12           **SECTION 68.** 85.20 (7) of the statutes is created to read:

13           85.20 (7) COST-EFFICIENCY STANDARDS. (a) The department shall establish  
14 cost–efficiency standards for the urban mass transit system specified in sub. (4m) (a).  
15 The contracts executed between the department and eligible applicants under this  
16 section for any period beginning on or after January 1, 1997, shall provide that the  
17 department may do any of the following if costs are incurred by the eligible  
18 applicant’s urban mass transit system which are inconsistent with the standards  
19 established under this subsection:

20           1. Exclude those costs from operating expenses for purposes of sub. (4m).

21           2. Reduce the amount of state aid allocation under sub. (4m) (a).

22           (b) The department shall specify by rule the cost–efficiency standards under  
23 this subsection, including rules for the implementation of par. (a) 1. and 2.

24           **SECTION 68c.** 85.21 (1) of the statutes is amended to read:

1           85.21 (1) PURPOSE. The purpose of this section is to promote the general public  
2 health and welfare by providing financial assistance to counties providing  
3 transportation services for elderly and disabled persons, including the improved  
4 coordination, effectiveness and quality of those services, and to thereby improve and  
5 promote the maintenance of human dignity and self-sufficiency by affording the  
6 benefits of transportation services to those people who would not otherwise have an  
7 available or accessible method of transportation.

8           **SECTION 68e.** 85.21 (2) (b) of the statutes is amended to read:

9           85.21 (2) (b) "County proportionate share" means the amount allocated to a  
10 county under this section which is based on the total amount appropriated for  
11 purposes of this section, except for service improvement projects under sub. (5),  
12 during the current fiscal year multiplied by the ratio of the number of elderly and  
13 disabled persons in the county to the total number of elderly and disabled persons  
14 in this state and which provides for a minimum base amount for each county, as  
15 determined by the department.

16           **SECTION 68g.** 85.21 (3) (c) of the statutes is amended to read:

17           85.21 (3) (c) To make and execute contracts with counties to ensure the  
18 provision of specialized transportation service. Payments under such contracts to  
19 eligible applicants shall not exceed the county proportionate share, except as  
20 supplemented under par. (e) or (f). ~~A~~ Except as provided in sub. (5), a contract under  
21 this section shall require the county to make a matching contribution of 20% of the  
22 contract amount and to furnish information determined necessary by the  
23 department for periodic program monitoring and year-end auditing and evaluation.  
24 A contract may permit a county to hold aids received under this section on or after  
25 July 2, 1983, in trust, according to rules promulgated by the department, for the

1 exclusive purpose of acquiring or maintaining equipment used for services  
2 authorized under this section. All aids held in trust, as well as any accumulated  
3 interest, not expended for the authorized purposes, shall be returned to the  
4 department for deposit in the transportation fund. Nothing in this paragraph  
5 entitles a county to any investment interest accumulated prior to the time the aid  
6 payment is actually received by the county.

7 **SECTION 68j.** 85.21 (5) of the statutes is created to read:

8 85.21 (5) SERVICE IMPROVEMENT PROJECTS. (a) In this subsection, "applicant"  
9 means any county or agency thereof, or 2 or more counties acting jointly under s.  
10 66.30.

11 (b) The department may award funds to applicants for service improvement  
12 projects that are designed to improve the availability and effectiveness of  
13 transportation services for the elderly and disabled, including services in rural  
14 areas, intercounty services and service innovations that are not otherwise funded  
15 under this section. The department shall give priority to projects designed to provide  
16 transportation services to areas that are not adequately served by public  
17 transportation services.

18 (c) From the appropriation under s. 20.395 (1) (cr), the department may  
19 withhold from the amount allocated for payments to counties under sub. (3) (c) an  
20 amount not to exceed \$250,000 in any fiscal year for the funding of projects under this  
21 subsection.

22 (d) No project may be funded unless there is a matching contribution from the  
23 applicant of at least 20% of the cost of the project.

24 (e) The department shall promulgate rules to implement and administer this  
25 subsection.

1           **SECTION 70.** 85.243 (title) of the statutes is amended to read:

2           **85.243** (title) **Surface transportation discretionary grants projects**  
3 **program.**

4           **SECTION 71.** 85.243 (2) (a) of the statutes is amended to read:

5           85.243 (2) (a) The department shall administer a surface transportation  
6 ~~discretionary grants projects~~ program to promote the development and  
7 implementation of surface transportation projects that foster the diverse  
8 transportation needs of the people of this state. Annually, the department may make  
9 grants to eligible applicants and other state agencies for surface transportation  
10 projects that promote nonhighway use or that otherwise supplement existing  
11 transportation activities. A grant may not exceed 80% of the total cost of a project.

12           The department shall give priority to funding projects that foster alternatives to  
13 single-occupancy automobile trips. In deciding whether to award a grant under this  
14 section, the department may consider whether other funding sources are available  
15 for the proposed project.

16           **SECTION 72.** 85.243 (2) (b) 5. of the statutes is created to read:

17           85.243 (2) (b) 5. To conduct a project.

18           **SECTION 73.** 85.26 (2) (a) of the statutes is renumbered 85.26 (2) (a) (intro.) and  
19 amended to read:

20           85.26 (2) (a) (intro.) "Eligible applicant" means a an applicant that provides  
21 employment, training or job placement services in a county with a population of  
22 500,000 or more and which is one of the following:

23           1. A local public body or a private organization, which is located in the county.

24           **SECTION 74.** 85.26 (2) (a) 2. of the statutes is created to read:

25           85.26 (2) (a) 2. Two or more state agencies coordinating such services.

1           **SECTION 75.** 85.50 of the statutes is repealed.

2           **SECTION 76.** 86.30 (2) (a) 3. c. of the statutes is repealed.

3           **SECTION 77.** 86.30 (2) (a) 3. d. of the statutes is amended to read:

4           86.30 (2) (a) 3. d. In calendar year 1995 ~~and thereafter~~, \$1,350.

5           **SECTION 78.** 86.30 (2) (a) 3. e. of the statutes is created to read:

6           86.30 (2) (a) 3. e. In calendar year 1996, \$1,415.

7           **SECTION 79.** 86.30 (2) (a) 3. f. of the statutes is created to read:

8           86.30 (2) (a) 3. f. In calendar year 1997 and thereafter, \$1,480.

9           **SECTION 80.** 86.30 (9) of the statutes is amended to read:

10          86.30 (9) AIDS CALCULATIONS. (b) For the purpose of calculating and  
11          distributing aids under sub. (2), the amounts for aids to counties are ~~\$63,392,900 in~~  
12          ~~calendar year 1994 and \$66,588,900 in calendar year 1995, \$71,030,000 in calendar~~  
13          year 1996 and \$75,917,700 in calendar year 1997 and thereafter. These amounts,  
14          to the extent practicable, shall be used to determine the statewide county average  
15          cost-sharing percentage in the particular calendar year.

16          (c) For the purpose of calculating and distributing aids under sub. (2), the  
17          amounts for aids to municipalities are ~~\$197,814,700 in calendar year 1994 and~~  
18          ~~\$209,496,900 in calendar year 1995, \$217,615,200 in calendar year 1996 and~~  
19          \$225,332,700 in calendar year 1997 and thereafter. These amounts, to the extent  
20          practicable, shall be used to determine the statewide municipal average  
21          cost-sharing percentage in the particular calendar year.

22          **SECTION 81.** 86.31 (3m) of the statutes is amended to read:

23          86.31 (3m) TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395  
24          (2) (fr), the department shall allocate \$500,000 in each fiscal year ~~\$512,500 in fiscal~~  
25          year 1995-96 and \$525,300 in fiscal year 1996-97 and thereafter to fund town road

1 improvements with eligible costs totaling \$100,000 or more. The funding of  
2 improvements under this subsection is in addition to the allocation of funds for  
3 entitlements under sub. (3).

4 **SECTION 82.** 86.315 (1) of the statutes is amended to read:

5 86.315 (1) From the appropriation under s. 20.395 (1) (fu), the department  
6 shall annually, on March 10, pay to counties having county forests established under  
7 ch. 28, for the improvement of public roads within the county forests which are open  
8 and used for travel and which are not state or county trunk highways or town roads  
9 and for which no aids are paid under s. 86.30, the amount of ~~\$200~~ \$600 per mile of  
10 road designated in the comprehensive county forest land use plan as approved by the  
11 county board and the department of natural resources. If the amount appropriated  
12 under s. 20.395 (1) (fu) is insufficient to make the ~~\$200~~ \$600 per mile payments under  
13 this subsection, the department shall prorate the amount appropriated in the  
14 manner it deems desirable.

15 **SECTION 83.** 86.32 (2) (am) 5. and 6. of the statutes are repealed.

16 **SECTION 84.** 86.32 (2) (am) 8. of the statutes is created to read:

17 86.32 (2) (am) 8. For 1996, \$10,782 per lane mile for municipalities having a  
18 population over 500,000; \$9,987 per lane mile for municipalities having a population  
19 of 150,001 to 500,000; \$8,900 per lane mile for municipalities having a population of  
20 35,001 to 150,000; \$7,840 per lane mile for municipalities having a population of  
21 10,000 to 35,000; and \$6,755 per lane mile for municipalities having a population  
22 under 10,000.

23 **SECTION 85.** 86.32 (2) (am) 9. of the statutes is created to read:

24 86.32 (2) (am) 9. For 1997, \$11,105 per lane mile for municipalities having a  
25 population over 500,000; \$10,287 per lane mile for municipalities having a

1 population of 150,001 to 500,000; \$9,167 per lane mile for municipalities having a  
2 population of 35,001 to 150,000; \$8,075 per lane mile for municipalities having a  
3 population of 10,000 to 35,000; and \$6,958 per lane mile for municipalities having  
4 a population under 10,000.

5 **SECTION 86.** 110.08 (2) of the statutes is amended to read:

6 110.08 (2) Except as provided under s. 343.16 (1) (b) and (c), all examinations  
7 for operator's licenses and permits shall be given by state examiners.

8 **SECTION 87.** 114.002 (4) of the statutes is repealed.

9 **SECTION 88.** 114.002 (11) of the statutes is amended to read:

10 114.002 (11) "Antique aircraft" means an aircraft ~~more than 35 years old as~~  
11 ~~determined by the~~ which has a date of manufacture of 1955 or earlier and which is  
12 used solely for recreational or display purposes.

13 **SECTION 89.** 114.002 (13) of the statutes is repealed.

14 **SECTION 90.** 114.20 (1) (title) of the statutes is amended to read:

15 114.20 (1) (title) ANNUAL REGISTRATION REQUIRED.

16 **SECTION 91.** 114.20 (1) (a) of the statutes is amended to read:

17 114.20 (1) (a) Except as provided under sub. (2), all aircraft based in this state  
18 shall be registered by the owner of the aircraft with the department annually on or  
19 before November 1 or, for aircraft with a maximum gross weight of not more than  
20 3,000 pounds that are not subject to sub. (10), biennially on or before the first  
21 November 1. Annual registration fees shall be determined in accordance with sub.  
22 (9) or (10). Biennial registration fees shall be determined in accordance with sub.  
23 (9m).

24 **SECTION 92.** 114.20 (1) (b) of the statutes is amended to read:

1           114.20 (1) (b) Aircraft determined by the department to be based in this state  
2 shall be subject to the annual or biennial registration fees under sub. (9) or (9m).  
3 Aircraft which are determined to be not based in this state shall be exempt from the  
4 annual or biennial registration fees.

5           **SECTION 93.** 114.20 (2) (intro.) of the statutes is amended to read:

6           114.20 (2) (title) EXCEPTIONS TO ANNUAL REGISTRATION REQUIREMENTS. (intro.)  
7 The ~~annual~~ registration requirements under sub. (1) do not apply to aircraft based  
8 in this state that are:

9           **SECTION 94.** 114.20 (2) (c) of the statutes is repealed.

10          **SECTION 95.** 114.20 (5) of the statutes is amended to read:

11          114.20 (5) UNAIRWORTHY AIRCRAFT. Any person desiring to have an aircraft  
12 designated as an unairworthy aircraft may apply to the department in the manner  
13 the department prescribes. No application may be acted upon unless all information  
14 requested is supplied. Upon receipt of an application and a registration fee of ~~\$5~~ to  
15 be established by rule and after determining from the facts submitted and  
16 investigation that the aircraft qualifies as an unairworthy aircraft, the department  
17 shall issue an unairworthy aircraft certificate. The certificate shall expire upon  
18 transfer of ownership or restoration. An aircraft is presumed restored if it is capable  
19 of operation. The annual or biennial registration fee is due on the date of restoration.  
20 Operation of the aircraft is conclusive evidence of restoration. An ~~additional~~  
21 ~~administrative fee of \$5~~ A late payment charge to be established by rule shall be  
22 ~~charged~~ assessed on all applications filed later than 30 days after the date of  
23 restoration.

24          **SECTION 96.** 114.20 (7) of the statutes is repealed.

1           **SECTION 97.** 114.20 (9) (a) to (c) of the statutes are renumbered 114.20 (9m) (a)  
2 to (c) and amended to read:

3	114.20 <b>(9m)</b> (a) Not more than	2,000	.....	\$ <del>30</del> <u>\$ 60</u>
4	(b) Not more than	2,500	.....	<del>39</del> <u>78</u>
5	(c) Not more than	3,000	.....	<del>50</del> <u>100</u>

6           **SECTION 98.** 114.20 (9) (d) of the statutes is amended to read:

7	114.20 <b>(9)</b> (d) Not more than	3,500	.....	<del>70</del> <u>\$ 70</u>
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8           **SECTION 99.** 114.20 (9m) (intro.) of the statutes is created to read:

9           114.20 **(9m)** BIENNIAL REGISTRATION FEES. (intro.) Except as provided in sub.  
10 (10), the owner of an aircraft subject to the biennial registration requirements under  
11 sub. (1) shall pay a biennial registration fee established in accordance with the  
12 following gross weight schedule:

13	[Maximum gross		[Annual
14	Weight in pounds]		fee]

15           **SECTION 100.** 114.20 (12) of the statutes is amended to read:

16           114.20 **(12)** (title) INITIAL ANNUAL REGISTRATION. For new aircraft, aircraft not  
17 previously registered in this state or unregistered aircraft for which annual  
18 registration is required under sub. (9), the fee for the initial year of registration shall  
19 be computed from the date of purchase, restoration, completed construction or entry  
20 of the aircraft into this state on the basis of one-twelfth of the registration fee  
21 specified in sub. (9) multiplied by the remaining number of months in the current  
22 registration year which are not fully expired. For new aircraft, aircraft not  
23 previously registered in this state or unregistered aircraft for which biennial  
24 registration is required under sub. (9m), the fee for the initial 2-year period of  
25 registration shall be computed from the date of purchase, restoration, completed

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1 construction or entry of the aircraft into this state on the basis of one twenty-fourth  
2 of the registration fee specified in sub. (9m) multiplied by the remaining number of  
3 months in the current 2-year registration period which are not fully expired.  
4 Application for registration shall be filed within 30 days from the date of purchase,  
5 restoration, completed construction or entry of the aircraft into this state and if filed  
6 after that date an additional administrative fee of \$5 shall be charged. If the date  
7 of purchase, restoration, completed construction or entry into this state is not  
8 provided by the applicant, the full annual or biennial registration fee provided in sub.  
9 (9) or (9m) shall be charged for registering the aircraft.

10 **SECTION 101.** 114.20 (13) (b) 1. of the statutes is amended to read:

11 114.20 (13) (b) 1. If an annual or biennial registration fee is not paid by  
12 November 1, from November 2 to the following April 30, the department shall add  
13 a late payment charge of \$50 or 10% of the amount specified for the registration  
14 under sub. (9), (9m) or (10), whichever is greater, to the fee.

15 **SECTION 102.** 114.20 (13) (b) 2. of the statutes is amended to read:

16 114.20 (13) (b) 2. If an annual or biennial registration fee is not paid by the  
17 following April 30, from May 1 to October 31 or, for a biennial registration, the end  
18 of the biennial period, the department shall add a late payment charge of \$50 or 20%  
19 of the amount specified for the registration under sub. (9), (9m) or (10), whichever  
20 is greater, to the fee.

21 **SECTION 103.** 114.20 (13) (b) 3. of the statutes is repealed.

22 **SECTION 104.** 114.20 (13) (b) 5. of the statutes is amended to read:

23 114.20 (13) (b) 5. This paragraph applies after October 31, ~~1989~~ 1995.

24 **SECTION 105.** 114.20 (15) (b) of the statutes is amended to read:

1           114.20 (15) (b) The lien against the aircraft for the original registration fee  
2 shall attach at the time the fee is first payable, and the lien for all renewals of annual  
3 registration shall attach on November 1 of each year thereafter and the lien for all  
4 renewals of biennial registration shall attach on the first November of the  
5 registration period and every 2 years thereafter.

6           **SECTION 106.** 121.555 (2) (c) 1. of the statutes is amended to read:

7           121.555 (2) (c) 1. Shall possess a valid Wisconsin operator's license or a valid  
8 operator's license issued by another jurisdiction, as defined in s. 340.01 (41m), or a  
9 valid commercial driver license issued by Mexico.

10          **SECTION 108.** 166.20 (7g) of the statutes is repealed.

11          **SECTION 109g.** 218.01 (2) (bd) 1g. of the statutes is amended to read:

12          218.01 (2) (bd) 1g. The manufacturer, distributor or importer shall send a  
13 notice of discontinuation or cancellation by certified mail, and forward a copy of the  
14 notice to the department, not less than 20 days before the effective date of  
15 discontinuation or cancellation of the agreement, if the dealer or distributor fails to  
16 conduct its customary sales and service operations during its customary business  
17 hours for 7 consecutive business days unless the failure is caused by an act of God,  
18 by work stoppage or delays due to strikes or labor disputes or other reason beyond  
19 the dealer's or distributor's control or by an order of the department or the ~~office of~~  
20 ~~the commissioner of transportation~~ division of hearings and appeals.

21          **SECTION 109m.** 218.01 (2) (bd) 1g. of the statutes, as affected by 1995 Wisconsin  
22 Acts 27 and .... (this act), is repealed and recreated to read:

23          218.01 (2) (bd) 1g. The manufacturer, distributor or importer shall send a  
24 notice of discontinuation or cancellation by certified mail, and forward a copy of the  
25 notice to the department of transportation, not less than 20 days before the effective

1 date of discontinuation or cancellation of the agreement, if the dealer or distributor  
2 fails to conduct its customary sales and service operations during its customary  
3 business hours for 7 consecutive business days unless the failure is caused by an act  
4 of God, by work stoppage or delays due to strikes or labor disputes or other reason  
5 beyond the dealer's or distributor's control or by an order of the department of  
6 transportation or the division of hearings and appeals.

7 **SECTION 110.** 218.01 (2) (bd) 1r. of the statutes is amended to read:

8 218.01 (2) (bd) 1r. The notice served upon a motor vehicle dealer under subds.  
9 1. and 1g. is not effective unless it conspicuously displays the following statement:

10 NOTICE TO DEALER

11 YOU HAVE THE RIGHT TO: 1) MEDIATE IF YOU OPPOSE THE  
12 PROPOSED TERMINATION OR NONRENEWAL OF YOUR FRANCHISE AND 2)  
13 ~~A HEARING BY THE OFFICE OF THE COMMISSIONER OF TRANSPORTATION~~  
14 DIVISION OF HEARINGS AND APPEALS IF MEDIATION DOES NOT RESOLVE  
15 THE DISPUTE. TO PRESERVE THESE RIGHTS, YOU MUST TAKE CERTAIN  
16 STEPS ON OR BEFORE THE DATE THAT THE PROPOSED TERMINATION OR  
17 NONRENEWAL TAKES EFFECT. FOR FURTHER INFORMATION, CONSULT  
18 YOUR ATTORNEY OR CALL THE DEALER SECTION, WISCONSIN  
19 DEPARTMENT OF TRANSPORTATION, AT .... (insert area code and telephone  
20 number).

21 **SECTION 111.** 218.01 (2c) (c) of the statutes is amended to read:

22 218.01 (2c) (c) The ownership, operation or control of a dealership by a  
23 manufacturer, importer or distributor, or subsidiary thereof, which does not meet the  
24 conditions under par. (a) or (b), if the ~~office of the commissioner of transportation~~  
25 division of hearings and appeals determines, after a hearing on the matter at the

1 request of any party, that there is no prospective independent dealer available to own  
2 and operate the dealership in a manner consistent with the public interest and that  
3 meets the reasonable standard and uniformly applied qualifications of the  
4 manufacturer, importer or distributor.

5 **SECTION 112.** 218.01 (3) (a) 24. of the statutes is amended to read:

6 218.01 (3) (a) 24. Being a manufacturer, importer or distributor who fails to  
7 comply with the procedures in sub. (3x) regarding a dealer's request for approval of  
8 a change of ownership or executive management, transfer of its dealership assets to  
9 another person, adding another franchise at the same location as its existing  
10 franchise, or relocation of a franchise or who fails to comply with an order of the office  
11 of the commissioner of transportation division of hearings and appeals issued under  
12 sub. (3x).

13 **SECTION 113g.** 218.01 (3x) (b) 2. of the statutes is amended to read:

14 218.01 (3x) (b) 2. An affected grantor who does not approve of the proposed  
15 action shall, within 30 days after receiving the dealer's written notice of the proposed  
16 action or within 30 days after receiving all the information specified in a written list  
17 served on the dealer under subd. 1., whichever is later, file with the department and  
18 serve upon the dealer a written statement of the reasons for its disapproval. The  
19 reasons given for the disapproval or any explanation of those reasons by the  
20 manufacturer, distributor or importer shall not subject the manufacturer,  
21 distributor or importer to any civil liability unless the reasons given or explanations  
22 made are malicious and published with the sole intent to cause harm to the dealer  
23 or a transferee of the dealer. Failure to file and serve a statement within the  
24 applicable period shall, notwithstanding the terms of any agreement, constitute  
25 approval of the proposed action by the grantor. If an affected grantor files a written

1 statement within the applicable period, the dealer may not voluntarily undertake  
2 the proposed action unless it receives an order permitting it to do so from the office  
3 of the commissioner of transportation division of hearings and appeals under par. (c)  
4 2.

5 **SECTION 113m.** 218.01 (3x) (b) 2. of the statutes, as affected by 1995 Wisconsin  
6 Acts 27 and .... (this act), is repealed and recreated to read:

7 218.01 (3x) (b) 2. An affected grantor who does not approve of the proposed  
8 action shall, within 30 days after receiving the dealer's written notice of the proposed  
9 action or within 30 days after receiving all the information specified in a written list  
10 served on the dealer under subd. 1., whichever is later, file with the department of  
11 transportation and serve upon the dealer a written statement of the reasons for its  
12 disapproval. The reasons given for the disapproval or any explanation of those  
13 reasons by the manufacturer, distributor or importer shall not subject the  
14 manufacturer, distributor or importer to any civil liability unless the reasons given  
15 or explanations made are malicious and published with the sole intent to cause harm  
16 to the dealer or a transferee of the dealer. Failure to file and serve a statement within  
17 the applicable period shall, notwithstanding the terms of any agreement, constitute  
18 approval of the proposed action by the grantor. If an affected grantor files a written  
19 statement within the applicable period, the dealer may not voluntarily undertake  
20 the proposed action unless it receives an order permitting it to do so from the division  
21 of hearings and appeals under par. (c) 2.

22 **SECTION 114g.** 218.01 (3x) (b) 3. of the statutes is amended to read:

23 218.01 (3x) (b) 3. A dealer who is served with a written statement by an affected  
24 grantor under subd. 2. may file with the department and the office of the  
25 commissioner of transportation division of hearings and appeals and serve upon the

1 affected grantor a complaint for the determination of whether there is good cause for  
2 permitting the proposed action to be undertaken. ~~The office of the commissioner of~~  
3 ~~transportation~~ division of hearings and appeals shall promptly schedule a hearing  
4 and decide the matter. The proposed action may not be undertaken pending the  
5 determination of the matter.

6 **SECTION 114m.** 218.01 (3x) (b) 3. of the statutes, as affected by 1995 Wisconsin  
7 Acts 27 and .... (this act), is repealed and recreated to read:

8 218.01 (3x) (b) 3. A dealer who is served with a written statement by an affected  
9 grantor under subd. 2. may file with the department of transportation and the  
10 division of hearings and appeals and serve upon the affected grantor a complaint for  
11 the determination of whether there is good cause for permitting the proposed action  
12 to be undertaken. The division of hearings and appeals shall promptly schedule a  
13 hearing and decide the matter. The proposed action may not be undertaken pending  
14 the determination of the matter.

15 **SECTION 115.** 218.01 (3x) (c) 1. (intro.) of the statutes is amended to read:

16 218.01 (3x) (c) 1. (intro.) In determining if there is good cause for permitting  
17 a proposed action to be undertaken, ~~the office of the commissioner of transportation~~  
18 division of hearings and appeals may consider any relevant factor including:

19 **SECTION 116.** 218.01 (3x) (c) 2. of the statutes is amended to read:

20 218.01 (3x) (c) 2. The decision of the ~~office of the commissioner of~~  
21 ~~transportation~~ division of hearings and appeals shall be in writing and shall contain  
22 findings of fact and a determination of whether there is good cause for permitting the  
23 proposed action to be undertaken. The decision shall include an order that the dealer  
24 be allowed or is not allowed to undertake the proposed action, as the case may be.

1 The order may require fulfillment of appropriate conditions before and after the  
2 proposed action is undertaken.

3 **SECTION 117.** 218.01 (7m) (a) of the statutes is amended to read:

4 218.01 **(7m)** (a) A licensee may not file a complaint or petition with the office  
5 of the commissioner of transportation division of hearings and appeals or bring an  
6 action under sub. (9) (a), based on an alleged violation of this section by any other  
7 licensee or pursuant to sub. (3) (f) or (fm), (3c) or (3x), unless the licensee serves a  
8 demand for mediation upon the other licensee before or contemporaneous with the  
9 filing of the complaint or petition or the bringing of the action. A demand for  
10 mediation shall be in writing and served upon the other licensee by certified mail at  
11 an address designated for that licensee in the licensor's records. The demand for  
12 mediation shall contain a brief statement of the dispute and the relief sought by the  
13 licensee filing the demand.

14 **SECTION 118.** 218.01 (7m) (c) of the statutes is amended to read:

15 218.01 **(7m)** (c) The service of a demand for mediation under par. (a) shall stay  
16 the time for the filing of any complaint or petition with the office of the commissioner  
17 of transportation division of hearings and appeals or for bringing an action under  
18 sub. (9) (a), based on an alleged violation of this section by the other licensee or  
19 pursuant to sub. (3) (f) or (fm), (3c) or (3x), until the representatives of both licensees  
20 have met with a mutually selected mediator for the purpose of attempting to resolve  
21 the dispute. If a complaint or petition is filed before the meeting, the office of the  
22 commissioner of transportation division of hearings and appeals or the court shall  
23 enter an order suspending the proceeding or action until the meeting has occurred  
24 and may, upon the written stipulation of all parties to the proceeding or action that  
25 they wish to continue to mediate under this subsection, enter an order suspending

1 the proceeding or action for as long a period as the ~~commissioner of transportation~~  
2 division of hearings and appeals or court considers to be appropriate. A suspension  
3 order issued under this paragraph may be revoked upon motion of any party or upon  
4 motion of the ~~office of the commissioner of transportation~~ division of hearings and  
5 appeals or the court.

6 **SECTION 118m.** 234.665 of the statutes is created to read:

7 **234.665 Rail passenger service grants. (1) DEFINITIONS.** In this section:

8 (a) "Amtrak" means the national railroad passenger corporation.

9 (b) "Eligible applicant" means a private entity that provides or intends to  
10 provide rail passenger service.

11 **(2) POWERS OF AUTHORITY.** The authority shall establish and administer a rail  
12 passenger service grant program to facilitate and encourage rail passenger service  
13 on the route between the cities of Chicago, Illinois, and Milwaukee.

14 **(3) GRANT CONDITIONS.** (a) The authority shall award a grant of \$50,000 to one  
15 eligible applicant if all of the following apply:

16 1. The eligible applicant submits an application for the grant under this  
17 paragraph. The application shall include a preliminary plan that contains all of the  
18 following:

19 a. Information that specifies how the eligible applicant anticipates providing  
20 rail passenger service on the route between the cities of Chicago, Illinois, and  
21 Milwaukee without the need of a state subsidy.

22 b. Details on the expansion of rail passenger service to the cities of Green Bay  
23 and Madison.

24 c. Information on the possible expansion of rail passenger service by the eligible  
25 applicant to other locations.

1           d. If the eligible applicant is applying to operate pursuant to an agreement with  
2 Amtrak, satisfactory evidence that Amtrak has agreed to negotiate with the eligible  
3 applicant regarding the expansion of rail passenger service between the cities of  
4 Chicago, Illinois, and Milwaukee by the eligible applicant.

5           2. The authority, after reviewing the application submitted under subd. 1.,  
6 determines that a grant to the eligible applicant is likely to facilitate and encourage  
7 rail passenger service on the route between the cities of Chicago, Illinois, and  
8 Milwaukee and submits a request to the joint committee on finance for the joint  
9 committee on finance to supplement, from the appropriation under s. 20.865 (4) (u),  
10 by \$50,000 the appropriation under s. 20.490 (3) (q) for the purpose of awarding the  
11 grant under this paragraph.

12           3. The joint committee on finance approves the request under subd. 2. and,  
13 notwithstanding s. 13.101 (3) (a), makes the supplement specified in subd. 2. Upon  
14 receipt of the supplement, the authority shall award the grant of \$50,000 to the  
15 eligible applicant from the appropriation under s. 20.490 (3) (q).

16           (b) The authority shall award a grant of \$200,000 to one eligible applicant if  
17 all of the following apply:

18           1. The eligible applicant submits an application for the grant under this  
19 paragraph. The application shall include a plan that contains all of the following:

20           a. Information that specifies how the eligible applicant will provide rail  
21 passenger service on the route between the cities of Chicago, Illinois, and Milwaukee  
22 without the need of a state subsidy.

23           b. Details on the expansion of rail passenger service to the cities of Green Bay  
24 and Madison.

1 c. Information on the possible expansion of rail passenger service by the eligible  
2 applicant to other locations.

3 d. Model standby agreements for track rights, labor, insurance, equipment  
4 leasing, dispatching, marketing, ticketing and the training and testing of railroad  
5 crews.

6 e. If the eligible applicant is applying to operate pursuant to an agreement with  
7 Amtrak, satisfactory evidence that Amtrak and the eligible applicant have entered  
8 into a service agreement.

9 2. The authority, after reviewing the application submitted under subd. 1.,  
10 determines that a grant to the eligible applicant is likely to facilitate and encourage  
11 rail passenger service on the route between the cities of Chicago, Illinois, and  
12 Milwaukee and submits a request to the joint committee on finance for the joint  
13 committee on finance to supplement, from the appropriation under s. 20.865 (4) (u),  
14 by \$200,000 the appropriation under s. 20.490 (3) (q) for the purpose of awarding the  
15 grant under this paragraph.

16 3. The joint committee on finance approves the request under subd. 2. and,  
17 notwithstanding s. 13.101 (3) (a), makes the supplement specified in subd. 2. Upon  
18 receipt of the supplement, the authority shall award the grant of \$200,000 to the  
19 eligible applicant from the appropriation under s. 20.490 (3) (q).

20 (4) APPLICABILITY. This section does not apply after December 31, 1999.

21 **SECTION 119.** 340.01 (7m) of the statutes is amended to read:

22 340.01 (7m) "Commercial driver license" means a license issued to a person by  
23 this state or another jurisdiction which is in accordance with the requirements of the  
24 federal commercial motor vehicle safety act of 1986, 49 USC ~~2701 to 2716~~ 31301 to

1 31317, or by Canada or Mexico, and which authorizes the licensee to operate certain  
2 commercial motor vehicles.

3 **SECTION 120.** 340.01 (7r) of the statutes is amended to read:

4 340.01 **(7r)** “Commercial driver license information system” means the  
5 information system established pursuant to the federal commercial motor vehicle  
6 safety act of 1986, 49 USC ~~2701 to 2716~~ 31301 to 31317, to serve as a clearinghouse  
7 for information related to the licensing and identification of commercial motor  
8 vehicle drivers.

9 **SECTION 121.** 341.08 (2) (am) of the statutes is created to read:

10 341.08 **(2)** (am) If the applicant is a natural person registering a farm truck  
11 under s. 341.26 (3) (a) 1., the applicant’s social security number.

12 **SECTION 122.** 341.08 (2) (cm) of the statutes is created to read:

13 341.08 **(2)** (cm) If the applicant is registering a farm truck under s. 341.26 (3)  
14 (a) 1., certification that the applicant had at least \$6,000 in gross farm profits, as  
15 defined in s. 71.58 (4), in at least one of the 2 previous taxable years, or that the  
16 applicant expects to have at least \$6,000 in gross farm profits, as defined in s. 71.58  
17 (4), in the current taxable year.

18 **SECTION 123.** 341.08 (4) of the statutes is amended to read:

19 341.08 **(4)** Applications for renewal of registration shall contain the  
20 information required in sub. (2) for original applications or such parts thereof as the  
21 department deems necessary to assure the proper registration of the vehicle, except  
22 that all applications for renewal of registration of farm trucks under s. 341.26 (3) (a)  
23 1. shall contain the information specified in sub. (2) (am) and (cm). The department  
24 may require that applications for renewal of registration be accompanied by the  
25 certificate of title issued for the vehicle only when the true ownership or proper

1 registration of the vehicle is in doubt and cannot be resolved from records maintained  
2 by the department.

3 **SECTION 124.** 341.08 (8) of the statutes is created to read:

4 341.08 (8) The department may not disclose a social security number obtained  
5 from an applicant under sub. (2) (am) to any person except to the department of  
6 revenue for the sole purpose of determining the applicant's eligibility to register the  
7 farm truck under s. 341.26 (3) (a) 1.

8 **SECTION 125.** 341.14 (6r) (b) 2. of the statutes is amended to read:

9 341.14 (6r) (b) 2. An additional fee of ~~\$10~~ \$15 shall be charged for the issuance  
10 or reissuance of the plates for special groups specified under par. (f) 1. to ~~34., 48., 49.,~~  
11 49m. and 51.

12 **SECTION 126.** 341.14 (6r) (b) 3. of the statutes is repealed.

13 **SECTION 127.** 341.14 (6r) (b) 4. of the statutes is amended to read:

14 341.14 (6r) (b) 4. An additional fee of \$20 that is in addition to the fee under  
15 subd. 2. ~~or 3.~~ shall be charged for the issuance or renewal of a plate issued on an  
16 annual basis for a special group specified under par. (f) 35. to 47. An additional fee  
17 of \$40 that is in addition to the fee under subd. 2. ~~or 3.~~ shall be charged for the  
18 issuance or renewal of a plate issued on a biennial basis for a special group specified  
19 under par. (f) 35. to 47. if the plate is issued or renewed during the first year of the  
20 biennial registration period or \$20 for the issuance or renewal if the plate is issued  
21 or renewed during the 2nd year of the biennial registration period. The fee under  
22 this subdivision is deductible as a charitable contribution for purposes of the taxes  
23 under ch. 71.

24 **SECTION 127m.** 341.14 (6r) (b) 5. of the statutes is amended to read:

**SECTION 127m**

1           341.14 **(6r)** (b) 5. An additional fee of \$25 ~~that is in addition to the fee under~~  
2 ~~subd. 2.~~ shall be charged for the issuance or renewal of a plate issued on an annual  
3 basis for the special group specified under par. (f) 50. An additional fee of \$50 ~~that~~  
4 ~~is in addition to the fee under subd. 2.~~ shall be charged for the issuance or renewal  
5 of a plate issued on the biennial basis for the special group specified under par. (f) 50.  
6 if the plate is issued or renewed during the first year of the biennial registration  
7 period or \$25 for the issuance or renewal if the plate is issued or renewed during the  
8 2nd year of the biennial registration period. All moneys received under this  
9 subdivision in excess of the initial costs of production of the special group plate under  
10 par. (f) 50. or \$15,000, whichever is less, shall be deposited in the conservation fund  
11 and credited to the appropriation under s. 20.370 (1) (fs). To the extent permitted  
12 under ch. 71, the fee under this subdivision is deductible as a charitable contribution  
13 for purposes of the taxes under ch. 71.

14           **SECTION 127r.** 341.145 (3m) of the statutes is created to read:

15           341.145 **(3m)** All fees collected under sub. (3) for plates issued or reissued  
16 under sub. (1) (c) to members of authorized special groups specified under s. 341.14  
17 (6r) (f) 1. to 32., 49., 49m. and 51. and for plates issued or reissued under sub. (1) (b)  
18 shall be deposited in the veterans trust fund.

19           **SECTION 128.** 341.21 of the statutes is created to read:

20           **341.21 Registration and title transactions by dealers.** The department  
21 may contract with a motor vehicle dealer for services relating to the processing or  
22 distribution of original or renewal registrations under this chapter or certificates of  
23 title under ch. 342. The department may not compensate a motor vehicle dealer for  
24 services provided under this section. A contract with a motor vehicle dealer shall  
25 contain the following provisions:

1           (1) The amount of fees, if any, that the motor vehicle dealer may charge a person  
2 for services relating to the processing or distribution of an original or renewal  
3 registration or a certificate of title.

4           (2) Within 7 business days after the completion of an application, the motor  
5 vehicle dealer shall process the application and submit any required fees and other  
6 documentation to the department.

7           (3) The motor vehicle dealer shall retain all records related to an application  
8 for original or renewal registration or a certificate of title for at least 5 years.

9           (4) The department or its representative may, without any prior notice, conduct  
10 random inspections and audits of the motor vehicle dealer.

11           **SECTION 129.** 341.26 (3) (a) 1. of the statutes is amended to read:

12           341.26 (3) (a) 1. For each farm truck having a gross weight of 12,000 pounds  
13 or less, a biennial fee of \$42. ~~Registration plates issued under this subdivision expire~~  
14 ~~on the last day of February of even-numbered years.~~

15           **SECTION 130.** 341.297 (2) of the statutes is renumbered 341.297 (2) (a) and  
16 amended to read:

17           341.297 (2) (a) A farm truck having a gross weight of 12,000 pounds or less, as  
18 specified in s. 341.26 (3) (a) 1. ~~The registration period for such a farm truck begins~~  
19 ~~on March 1 of an even-numbered year and ends on the last day of February of the~~  
20 ~~next even-numbered year~~ All such farm trucks shall be registered by the department  
21 according to the monthly series of registration prescribed by par. (b).

22           **SECTION 131.** 341.297 (2) (b) of the statutes is created to read:

23           341.297 (2) (b) There are established 24 registration periods, each to be  
24 designated by a calendar month and to start on the first day of such month and end  
25 on the last day of the 24th month from the date of commencing. The department shall

1 so administer the monthly series system of registration as to distribute the work of  
2 registering farm trucks as uniformly as practicable throughout the calendar year.

3 **SECTION 132.** 341.43 of the statutes is amended to read:

4 **341.43 Audits.** The department may conduct such audits as it deems  
5 necessary to determine the adequacy of fees paid under the international  
6 registration plan or other proportional registration law or agreement and taxes and  
7 fees paid under s. 341.45. Audits shall be conducted during normal business hours.  
8 Credits shall be given for overpayments and deficiencies shall be assessed, with  
9 interest. Actual and necessary expenses incurred by an auditor, plus wages, may be  
10 assessed against the person audited.

11 **SECTION 133.** 341.45 (title) of the statutes is amended to read:

12 **341.45 (title) Importation in vehicle tanks regulated; taxes; fees;**  
13 **permits.**

14 **SECTION 134.** 341.45 (1g) (a) of the statutes is amended to read:

15 341.45 (1g) (a) ~~Every~~ Except as provided in subs. (3) and (4g), every person who  
16 purchases or obtains motor vehicle fuel or an alternate fuel outside of this state and  
17 operates any qualified motor vehicle into this state upon a highway and transports  
18 that fuel in an attached or unattached fuel supply tank for the sole purpose of  
19 operating the qualified motor vehicle shall pay the Wisconsin motor vehicle fuel or  
20 alternate fuels tax and the oil inspection fee under s. 168.12 on the gallons consumed  
21 by the qualified motor vehicle while operated on the highways of this state. The  
22 person shall pay the tax and fees by purchasing motor vehicle fuel or alternate fuels  
23 within this state in an amount that is equivalent to the gallonage consumed while  
24 operating the qualified motor vehicle on the highways of this state, or by remitting

1 the tax and fees directly to the department or to another jurisdiction that is a party  
2 to the international fuel tax agreement.

3 **SECTION 135.** 341.45 (1g) (b) of the statutes is amended to read:

4 341.45 (1g) (b) The department may require any person required to pay under  
5 par. (a) to report on forms prescribed by it, to display evidence of compliance with par.  
6 (a) and to pay taxes and fees in the manner specified by the department.

7 (c) The department shall require any person convicted of evading the tax or fees  
8 due under par. (a) to report on forms and in the manner prescribed by the  
9 department.

10 **SECTION 136.** 341.45 (2) of the statutes is amended to read:

11 341.45 (2) Every person regularly or habitually operating qualified motor  
12 vehicles upon the highways of any other state and using in those qualified motor  
13 vehicles motor vehicle fuel or an alternate fuel purchased or obtained in this state  
14 shall be allowed a credit or refund equal to the oil inspection fee and the tax on the  
15 motor vehicle fuel or alternate fuel actually paid to the state in which it is used, but  
16 not to exceed the tax and fees imposed on motor vehicle fuel or alternate fuels by this  
17 state.

18 **SECTION 137.** 341.45 (3) of the statutes is amended to read:

19 341.45 (3) The department may enter into reciprocal agreements with the  
20 appropriate officials of any other state under which it may waive all or any part of  
21 the requirements imposed by this section upon those who use motor vehicle fuel or  
22 alternate fuels upon which the tax ~~has~~ and fees have been paid to another state if the  
23 officials of the other state grant equivalent privileges with respect to motor vehicle  
24 fuel or alternate fuels used in that state but upon which the tax ~~has~~ and fees have  
25 been paid to Wisconsin.

1           **SECTION 138.** 341.45 (4g) of the statutes is created to read:

2           341.45 (4g) The department may issue trip permits for 72-hour periods to  
3 persons who would otherwise be required to pay the Wisconsin motor vehicle fuel or  
4 alternate fuels tax and the oil inspection fee under sub. (1g). The department shall  
5 charge a fee of not less than \$15 for each permit issued under this subsection. A  
6 person who has obtained a permit under this subsection is exempt from the  
7 purchasing requirement of sub. (1g) (a).

8           **SECTION 139.** 341.45 (4m) of the statutes is created to read:

9           341.45 (4m) All oil inspection fees paid to the department of transportation  
10 under sub. (1g) (a) in excess of oil inspection fee credits or refunds under sub. (2) shall  
11 be deposited in the petroleum inspection fund. All oil inspection fees credited or  
12 refunded by the department of transportation under sub. (2) in excess of oil  
13 inspection fees paid to the department of transportation under sub. (1g) (a) shall be  
14 paid from the petroleum inspection fund.

15           **SECTION 140.** 341.45 (5) of the statutes is amended to read:

16           341.45 (5) The department shall promulgate rules under ch. 227 necessary to  
17 administer this section. The rules shall include provisions relating to the issuance  
18 and use of the permits authorized under sub. (4g). The rules may include provisions  
19 relating to the payment of interest on late payments of motor vehicle fuel and  
20 alternate fuels taxes, oil inspection fees, and fees for the late payment or  
21 underpayment of motor vehicle fuel and alternate fuels taxes and oil inspection fees.

22           **SECTION 141.** 343.01 (2) (cb) of the statutes is created to read:

23           343.01 (2) (cb) “Motorized construction equipment” means motor-driven  
24 construction equipment designed principally for off-road use, including a

1 motorscraper, backhoe, motorgrader, compacter, excavator, tractor, trencher and  
2 bulldozer.

3 **SECTION 143.** 343.02 (1) of the statutes is amended to read:

4 343.02 (1) The department shall administer and enforce this chapter and may  
5 promulgate for that purpose such rules as the secretary considers necessary. Rules  
6 promulgated under this chapter may not conflict with and shall be at least as  
7 stringent as standards set by the federal commercial motor vehicle safety act, 49  
8 USC ~~2701 to 2716~~ 31301 to 31317 and the regulations adopted under that act.

9 **SECTION 144.** 343.03 (1) (title) of the statutes is repealed and recreated to read:

10 343.03 (1) (title) COMPLIANCE WITH FEDERAL STANDARDS.

11 **SECTION 145.** 343.03 (1) (a) of the statutes is amended to read:

12 343.03 (1) (a) The department shall institute a classified driver license system  
13 meeting all federal standards under 49 USC ~~2701 to 2716~~ 31301 to 31317 and 49 CFR  
14 383.

15 **SECTION 146.** 343.03 (1) (b) of the statutes is amended to read:

16 343.03 (1) (b) The department shall ~~begin issuance of~~ issue operator's licenses  
17 in conformity with the classified driver license system to each licensee upon renewal,  
18 reinstatement or initial application by ~~April 1, 1991~~.

19 **SECTION 147.** 343.03 (1) (c) of the statutes is repealed.

20 **SECTION 148.** 343.03 (5) of the statutes is amended to read:

21 343.03 (5) INQUIRIES BEFORE ISSUANCE. Before issuing a license under this  
22 chapter, the department shall obtain driver record information from the national  
23 driver registry and commercial driver license information system to determine  
24 whether the applicant holds a commercial driver license, or a license that is revoked,  
25 suspended or canceled, or is otherwise disqualified. If the applicant is currently

1 licensed in another state, the department shall obtain information on the applicant's  
2 license status with the state of licensure before issuing a license.

3 **SECTION 149.** 343.03 (8) of the statutes is repealed.

4 **SECTION 150.** 343.05 (2) (a) 2. of the statutes is amended to read:

5 343.05 (2) (a) 2. A nonresident who has in his or her immediate possession a  
6 valid commercial driver license issued to the person in ~~his or her home~~ another  
7 jurisdiction or Mexico bearing all endorsements required for the specific class and  
8 type of vehicle being operated. A license is not valid under this subdivision if the  
9 license is restricted to operation inside the person's home jurisdiction, or if the person  
10 is otherwise violating restrictions or exceeding operating authorization stated on the  
11 person's license. If the nonresident is operating a commercial motor vehicle in  
12 interstate commerce, he or she must be at least 21 years of age.

13 **SECTION 151.** 343.05 (2) (c) of the statutes is amended to read:

14 343.05 (2) (c) A tow truck operator holding a valid commercial driver license  
15 who is engaged in the removal of a disabled or wrecked vehicle from the highway or  
16 eliminating a hazard is not required to hold an endorsement to his or her commercial  
17 driver license regardless of the type of vehicle being towed. This exception to the  
18 requirement for an endorsement does not apply to any subsequent towing of the  
19 vehicle, including moving the vehicle from one repair facility to another, unless ~~the~~  
20 one of the following applies:

21 1. The tow truck operator holds a commercial driver license and is accompanied  
22 by a driver who holds the required endorsements.

23 **SECTION 152.** 343.05 (2) (c) 2. of the statutes is created to read:

24 343.05 (2) (c) 2. The vehicle is a vehicle that requires a "P" endorsement for its  
25 operation.

1           **SECTION 153.** 343.05 (4) (a) 3. of the statutes is renumbered 343.05 (2) (a) 5. and  
2 amended to read:

3           343.05 **(2)** (a) 5. A person temporarily operating motorized construction  
4 equipment designed principally for off-road use, including a motorscraper, backhoe,  
5 motorgrader, compacter, excavator, tractor, trencher and bulldozer upon a highway  
6 in this state who possesses a valid operator's license issued to the person by the  
7 department which is not revoked, suspended, canceled, disqualified or expired. This  
8 subdivision does not apply to a truck or a construction vehicle designed or equipped  
9 for use on a highway or to any vehicle exceeding a speed of 35 miles per hour.

10           **SECTION 154.** 343.055 (5) of the statutes is amended to read:

11           343.055 **(5)** RULES. As soon as possible after the federal commercial motor  
12 vehicle safety act, 49 USC 2701 to 2716 31301 to 31317, or the regulations adopted  
13 under that act permit any commercial driver license waiver, the department shall  
14 promulgate rules governing eligibility for the waiver. This subsection applies to  
15 waivers not permitted by federal law on May 12, 1992.

16           **SECTION 155.** 343.06 (1) (c) of the statutes is amended to read:

17           343.06 **(1)** (c) To any person under age 18 unless the person is enrolled in a  
18 school program or high school equivalency program and is not a habitual truant as  
19 defined in s. 118.16 (1) (a), has graduated from high school or been granted a  
20 declaration of high school graduation equivalency or is enrolled in a home-based  
21 private educational program, as defined in s. 115.001 (3g), and has satisfactorily  
22 completed a course in driver education in public schools approved by the department  
23 of public instruction, or in technical colleges approved by the technical college system  
24 board, or in nonpublic and private schools which meet the minimum standards set  
25 by the department of public instruction, or has satisfactorily completed a

1 substantially equivalent course in driver training approved by the department and  
2 given by a school licensed by the department under s. 343.61, or has satisfactorily  
3 completed a substantially equivalent course in driver education or training approved  
4 by another state and has attained the age of 16, except as provided in s. 343.07 (1).  
5 The department shall not issue a license to any person under the age of 18  
6 authorizing the operation of "Class M" vehicles unless the person has successfully  
7 completed a basic rider course approved by the department. The department may,  
8 by rule, exempt certain persons from the basic rider course requirement of this  
9 paragraph. Applicants for a license under s. 343.08 or 343.135 are exempt from the  
10 driver education, basic rider or driver training course requirement. The secretary  
11 shall prescribe rules for licensing of schools and instructors to qualify under this  
12 paragraph. The driver education course shall be made available to every eligible  
13 student in the state. Except as provided under s. 343.16 (1) (c) and (2) (cm) to (e), no  
14 operator's license may be issued unless a driver's examination has been  
15 administered by the department.

16 **SECTION 156.** 343.06 (2) of the statutes is amended to read:

17 343.06 (2) ~~After March 31, 1992, the~~ The department shall not issue a  
18 commercial driver license, including a renewal, occupational or reinstated license,  
19 to any person during any period of disqualification under s. 343.315 or 49 CFR 383.51  
20 or the law of another jurisdiction in substantial conformity therewith, as the result  
21 of one or more disqualifying offenses committed on or after July 1, 1987. ~~Beginning~~  
22 ~~on April 1, 1992, the department shall cancel any commercial driver license~~ Any  
23 person who is known to the department to have been issued to a person who is  
24 disqualified be subject to disqualification under s. 343.315 (1) (a) shall be disqualified

1 ~~by the department, unless the required period of disqualification specified in s.~~  
2 ~~343.315 for the disqualifying offense has already expired.~~

3 **SECTION 157.** 343.065 (title) of the statutes is amended to read:

4 **343.065** (title) ~~Intrastate restricted~~ **Restricted commercial driver**  
5 **license.**

6 **SECTION 158.** 343.065 (1) of the statutes is amended to read:

7 343.065 (1) If an applicant for a commercial driver license is less than 21 years  
8 of age or does not meet the physical qualifications for drivers contained in 49 CFR  
9 391 or an alternative federally approved driver qualification program established by  
10 the department by rule but is at least 18 years of age and otherwise qualified under  
11 this chapter and the rules of the department, the department may issue the  
12 applicant a commercial driver license restricted to authorizing the operation of  
13 commercial motor vehicles ~~only within this state and~~ not in interstate commerce.

14 **SECTION 159.** 343.065 (2) of the statutes is amended to read:

15 343.065 (2) A commercial driver license issued under this section shall clearly  
16 identify that the license does not authorize the operation of commercial motor  
17 vehicles ~~outside this state or~~ in interstate commerce.

18 **SECTION 160.** 343.10 (2) (a) 1. of the statutes is amended to read:

19 343.10 (2) (a) 1. Except for a revocation or suspension that arose out of the same  
20 incident or occurrence for which the person's license or operating privilege is  
21 currently revoked or suspended, the person's license or operating privilege was not  
22 revoked or suspended previously under this chapter ~~or ch. 344 or s. 161.50~~ within the  
23 one-year period immediately preceding the present revocation or suspension.

24 **SECTION 161.** 343.10 (10) (a) of the statutes is amended to read:

1           343.10 (10) (a) If the petitioner's commercial driver license has been suspended  
2 or revoked solely for a violation of s. 346.63 (1) or a local ordinance in conformity  
3 therewith or a law of a federally recognized American Indian tribe or band in this  
4 state in conformity with s. 346.63 (1) and the person was not operating a commercial  
5 motor vehicle at the time of the violation, a petition seeking issuance of an  
6 occupational license authorizing operation of "Class A", "Class B" or "Class C"  
7 vehicles may be filed directly with the department. The petition may also seek  
8 authorization to operate "Class D" or "Class M" vehicles.

9           **SECTION 162.** 343.12 (2) (h) of the statutes is amended to read:

10           343.12 (2) (h) Prior to the initial issuance or renewal of the endorsement, takes  
11 and passes a special examination prescribed by the department and administered  
12 by the department or by a 3rd-party tester under s. 343.16 (1) (b) to determine his  
13 or her ability to safely operate a school bus. This special examination may include  
14 the examination required under sub. (3). The department may renew the  
15 endorsement without retesting the licensee, except under sub. (3).

16           **SECTION 165.** 343.14 (4) of the statutes is repealed.

17           **SECTION 166.** 343.16 (1) (a) of the statutes is amended to read:

18           343.16 (1) (a) *General.* The department shall examine every applicant for an  
19 operator's license, including applicants for license renewal as provided in sub. (3),  
20 and every applicant for authorization to operate a vehicle class or type for which the  
21 applicant does not hold currently valid authorization, other than an instruction  
22 permit. Except as provided in sub. (2) (cm) and (e) ~~and s. 343.03 (8) (b) and (e)~~, the  
23 examinations of applicants for licenses authorizing operation of "Class A", "Class B",  
24 "Class C", "Class D" or "Class M" vehicles shall include both a knowledge test and  
25 an actual demonstration in the form of a driving skills test of the applicant's ability

1 to exercise ordinary and reasonable control in the operation of a representative  
2 vehicle. The department shall not administer a driving skills test to a person  
3 applying for authorization to operate "Class M" vehicles who has failed 2 previous  
4 such skills tests unless the person has successfully completed a rider course  
5 approved by the department. The department may, by rule, exempt certain persons  
6 from the rider course requirement of this paragraph. The driving skills of applicants  
7 for endorsements authorizing the operation of commercial motor vehicles equipped  
8 with air brakes, the transportation of passengers in commercial motor vehicles or the  
9 operation of school buses, as provided in s. 343.04 (2) (b), (d) or (e), shall also be tested  
10 by an actual demonstration of driving skills. The department may endorse an  
11 applicant's commercial driver license for transporting hazardous materials, or the  
12 operation of tank vehicles or vehicles towing double or triple trailers, as described  
13 in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In  
14 administering the knowledge test, the department shall attempt to accommodate  
15 any special needs of the applicant. The Except as may be required by the department  
16 for an "H" or "S" endorsement, the knowledge test is not intended to be a test for  
17 literacy or English language proficiency. This paragraph does not prohibit the  
18 department from requiring an applicant to correctly read and understand highway  
19 signs.

20 **SECTION 167.** 343.17 (3) (e) 1. of the statutes is amended to read:

21 343.17 (3) (e) 1. "K" restriction, which restricts a person issued a license under  
22 s. 343.065 to from operating commercial motor vehicles ~~only within this state and not~~  
23 in interstate commerce.

24 **SECTION 168.** 343.21 (1) (g) of the statutes is amended to read:

1           343.21 (1) (g) For removing a “K” restriction against operation of commercial  
2 motor vehicles ~~outside this state or~~ in interstate commerce, the same fee as for a  
3 duplicate license.

4           **SECTION 169.** 343.21 (1) (jm) of the statutes is created to read:

5           343.21 (1) (jm) For reinstatement of a previously disqualified authorization to  
6 operate a commercial motor vehicle, \$50. This fee is not applicable to  
7 disqualifications under s. 343.315 (2) (g).

8           **SECTION 170.** 343.21 (1) (m) of the statutes is created to read:

9           343.21 (1) (m) For reinstatement of a previously canceled license or  
10 endorsement, \$50. This fee includes reinstatement of any classification or  
11 endorsement applied for at the same time for which the applicant is qualified.

12           **SECTION 171.** 343.23 (2) of the statutes is amended to read:

13           343.23 (2) The department shall maintain a file for each licensee containing the  
14 application for license, permit or endorsement, a record of reports or abstract of  
15 convictions, the status of the licensee’s authorization to operate different vehicle  
16 groups, a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9)  
17 (am) and a record of any reportable accident in which the licensee has been involved,  
18 including specification of the type of license and endorsements issued under this  
19 chapter under which the licensee was operating at the time of the accident and an  
20 indication whether or not the accident occurred in the course of the licensee’s  
21 employment as a law enforcement officer, fire fighter or emergency medical  
22 technician — paramedic or as a person engaged, by an authority in charge of the  
23 maintenance of the highway, in highway winter maintenance snow and ice removal  
24 during either a storm or cleanup following a storm. This information must be filed  
25 by the department so that the complete operator’s record is available for the use of

1 the secretary in determining whether operating privileges of such person shall be  
2 suspended, revoked, canceled or withheld in the interest of public safety. The record  
3 of suspensions, revocations and convictions that would be counted under s. 343.307  
4 (2) and of convictions for disqualifying offenses under s. 343.315 (2) (h) shall be  
5 maintained for at least 10 years. The record of convictions for disqualifying offenses  
6 under s. 343.315 (2) (f) shall be maintained for at least 3 years. The record of  
7 convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be  
8 maintained permanently, except that 5 years after a licensee transfers residency to  
9 another state such record may be transferred to another state of licensure of the  
10 licensee if that state accepts responsibility for maintaining a permanent record of  
11 convictions for disqualifying offenses. Such reports and records may be cumulative  
12 beyond the period for which a license is granted, but the secretary, in exercising the  
13 power of revocation granted under s. 343.32 (2) may consider only those reports and  
14 records entered during the 4-year period immediately preceding the exercise of such  
15 power of revocation. For purposes of this subsection, "highway winter maintenance  
16 snow and ice removal" includes plowing, sanding, salting and the operation of  
17 vehicles in the delivery of those services.

18 **SECTION 172.** 343.24 (2m) of the statutes is amended to read:

19 343.24 (2m) If the department, in maintaining a computerized operating record  
20 system, makes copies of its operating record file data base, or a portion thereof, on  
21 computer tape or other electronic media, copies of the tape or media may be furnished  
22 to any person on request. The department may also furnish to any person upon  
23 request records on computer tape or other electronic media that contain information  
24 from files of uniform traffic citations or motor vehicle accidents and which were  
25 produced for or developed by the department for purposes related to maintenance of

1 the operating record file data base. The department shall charge a fee of \$3 for each  
2 file of vehicle operators' records, uniform traffic citations or motor vehicle accidents  
3 contained in the tape or media. Nothing in this subsection requires the department  
4 to produce records of particular files or data in a particular format except as those  
5 records or data are made by the department for its purposes.

6 **SECTION 173.** 343.245 (3) (b) 3. and 4. of the statutes are amended to read:

7 343.245 (3) (b) 3. Is subject to an out-of-service order in any state; or

8 4. Has more than one operator's license, except during the 10-day period  
9 beginning on the date on which the employe is issued an operator's license; or

10 **SECTION 174.** 343.245 (3) (b) 5. of the statutes is created to read:

11 343.245 (3) (b) 5. Does not possess a valid commercial driver license properly  
12 endorsed to permit operation of the vehicle.

13 **SECTION 175.** 343.245 (4) (b) of the statutes is amended to read:

14 343.245 (4) (b) Any person who violates sub. (3) (b) shall be fined not more than  
15 \$5,000 less than \$2,500 nor more than \$10,000 or imprisoned for not more than 90  
16 days or both.

17 **SECTION 176.** 343.265 (1) (intro.) of the statutes is renumbered 343.265 (1) and  
18 amended to read:

19 343.265 (1) The department may accept the voluntary surrender of the  
20 operator's license of a person who has a mental or physical disability or disease or  
21 a medical condition which prevents or may prevent the person from exercising  
22 reasonable control over a motor vehicle if the person's operating privilege is not  
23 subject to suspension or revocation for any reason ~~and if either of the following~~  
24 ~~conditions are satisfied.~~

25 **SECTION 177.** 343.265 (1) (a) and (b) of the statutes are repealed.

1           **SECTION 178.** 343.28 (1) of the statutes is amended to read:

2           343.28 (1) Whenever a person is convicted of a moving traffic violation under  
3 chs. 341 to 349 or under a local ordinance enacted under ch. 349, the clerk of the court  
4 in which the conviction occurred, or the justice, judge or magistrate of a court not  
5 having a clerk, shall, as provided in s. 345.48, forward to the department the record  
6 of such conviction. The record of conviction forwarded to the department shall state  
7 whether the offender was involved in an accident at the time of the offense, whether  
8 the offender was operating a commercial motor vehicle at the time of the offense and,  
9 if so, whether the offender was transporting hazardous materials or operating a  
10 vehicle designed to carry, or actually carrying, 16 or more passengers, including the  
11 driver. Whenever a person is convicted of exceeding a posted speed limit, the record  
12 of conviction forwarded to the department shall include the number of miles per hour  
13 in excess of the posted speed limit.

14           **SECTION 179.** 343.28 (2) of the statutes is amended to read:

15           343.28 (2) Whenever a person is convicted of any offense for which s. 343.31  
16 makes mandatory the revocation by the secretary of such person's operating  
17 privilege, the court in which the conviction occurred shall require the surrender to  
18 it of any license then held by such person. The clerk of the court, or the justice, judge  
19 or magistrate if the court has no clerk, shall, as provided in s. 345.48, forward to the  
20 department the record of conviction and any surrendered licenses. The record of  
21 conviction forwarded to the department shall state whether the offender was  
22 involved in an accident at the time of the offense, whether the offender was operating  
23 a commercial motor vehicle at the time of the offense and, if so, whether the offender  
24 was transporting hazardous materials or operating a vehicle designed to carry, or  
25 actually carrying, 16 or more passengers, including the driver.

1           **SECTION 180.** 343.305 (10) (em) of the statutes is amended to read:

2           343.305 (10) (em) One penalty for improperly refusing to submit to a test for  
3 intoxication regarding a person arrested for a violation of s. 346.63 (2m) or (7) or a  
4 local ordinance in conformity therewith is revocation of the person's operating  
5 privilege for 6 months. After the first 15 days of the revocation period, the person  
6 is eligible for an occupational license under s. 343.10. Any such improper refusal or  
7 revocation for the refusal does not count as a prior refusal or a prior revocation under  
8 this section or ss. 343.30 (1q), 343.307 and 346.65 (2). The person shall not be  
9 required to submit to and comply with any assessment or driver safety plan under  
10 pars. (c) and (d).

11           **SECTION 181.** 343.315 (2) (f) (intro.) of the statutes is amended to read:

12           343.315 (2) (f) (intro.) A person is disqualified for a period of 60 days from  
13 operating a commercial motor vehicle if convicted of 2 serious traffic violations, ~~or~~  
14 and 120 days if convicted of 3 serious traffic violations, arising from separate  
15 occurrences committed within a 3-year period while driving or operating a  
16 commercial motor vehicle. ~~The department shall consider only offenses committed~~  
17 ~~on or after November 2, 1989 in applying 120-day period of disqualification under~~  
18 this paragraph shall be in addition to any other period of disqualification imposed  
19 under this paragraph. In this paragraph, "serious traffic violations" means:

20           **SECTION 182.** 343.315 (2) (fm) of the statutes is created to read:

21           343.315 (2) (fm) A person is disqualified for a period of 60 days from operating  
22 a commercial motor vehicle if convicted of violating s. 343.14 (5) or 345.17, if the  
23 violation relates to an application for a commercial driver license.

24           **SECTION 183.** 343.315 (2) (h) of the statutes is created to read:

1           343.315 (2) (h) Except as provided in par. (i), a person is disqualified for a period  
2 of 90 days from operating a commercial motor vehicle if convicted of an  
3 out-of-service violation, or one year if convicted of 2 out-of-service violations, or 3  
4 years if convicted of 3 or more out-of-service violations, arising from separate  
5 occurrences committed within a 10-year period while driving or operating a  
6 commercial motor vehicle. A disqualification under this paragraph shall be in  
7 addition to any penalty imposed under s. 343.44. In this paragraph, "out-of-service  
8 violation" means violating s. 343.44 (1) by operating a commercial motor vehicle  
9 while ordered out-of-service under state or federal law.

10           **SECTION 184.** 343.315 (2) (i) of the statutes is created to read:

11           343.315 (2) (i) If the violation listed in par. (h) occurred in the course of  
12 transporting hazardous materials or while operating a vehicle designed to carry, or  
13 actually carrying, 16 or more passengers, including the driver, the person shall be  
14 disqualified from operating a commercial motor vehicle for 180 days upon a first  
15 conviction, or for a 3-year period for a 2nd or subsequent conviction, arising from  
16 separate occurrences committed within a 10-year period while driving or operating  
17 a commercial motor vehicle. A disqualification under this paragraph shall be in  
18 addition to any penalty imposed under s. 343.44.

19           **SECTION 185.** 343.315 (3) (a) of the statutes is amended to read:

20           343.315 (3) (a) Notwithstanding s. 343.39, if a person's license or operating  
21 privilege is revoked or suspended as the result of an offense committed after March  
22 31, 1992, which results in disqualification under sub. (2), the department shall  
23 immediately disqualify the person from operating a commercial motor vehicle for the  
24 period required under sub. (2). The person's authorization to operate a commercial  
25 motor vehicle shall not be reinstated upon expiration of the period of revocation or

1 suspension unless the period of disqualification has also expired. During any period  
2 of disqualification in which the person's license or operating privilege is not revoked  
3 or suspended, the department may issue an operator's license to the person for the  
4 operation of vehicles other than commercial motor vehicles. ~~Upon expiration of the~~  
5 ~~period of disqualification, the person may apply for authorization to operate~~  
6 ~~commercial motor vehicles as provided in s. 343.14.~~

7 **SECTION 186.** 343.315 (3) (b) of the statutes is amended to read:

8 343.315 (3) (b) If a person's license or operating privilege is not otherwise  
9 revoked or suspended as the result of an offense committed after March 31, 1992,  
10 which results in disqualification under sub. (2) (a) to (f), (h) or (i), the department  
11 shall immediately ~~cancel the person's license~~ disqualify the person from operating  
12 a commercial motor vehicle for the period required under sub. (2) (a) to (f), (h) or (i).

13 Upon proper application by the person and payment of a duplicate license fee, the  
14 department may issue a separate license authorizing only the operation of vehicles  
15 other than commercial motor vehicles. Upon expiration of the period of  
16 disqualification, the person may apply for authorization to operate commercial  
17 motor vehicles under s. 343.26.

18 **SECTION 187.** 343.32 (4) of the statutes is amended to read:

19 343.32 (4) In adopting rules for weighing traffic convictions by their  
20 seriousness under sub. (2), the secretary shall provide by rule for a reduction of up  
21 to 3 points if a person shows to the department satisfactory evidence of completion  
22 of a rider course approved by the secretary. This subsection applies only to demerit  
23 points relating to violations committed before completion of the rider course by a  
24 person while driving or operating a Type 1 motorcycle. ~~No person is eligible for more~~  
25 ~~than one point reduction of up to 3 points under this subsection.~~

1           **SECTION 188.** 343.325 (title) of the statutes is amended to read:

2           **343.325 (title) Courts to report appeals; when appeal stays suspension**  
3 **or, revocation or disqualification.**

4           **SECTION 189.** 343.325 (2) of the statutes is amended to read:

5           343.325 (2) Notwithstanding ss. 343.31, 343.315 and 343.32 and except as  
6 otherwise provided in sub. (4), the secretary shall not suspend or revoke a person's  
7 operating privilege or disqualify a person from operating a commercial motor vehicle  
8 on the basis of a conviction if the secretary receives from the court in which the  
9 conviction occurred a certificate stating that an appeal from the conviction has been  
10 taken. If the secretary receives such certificate after suspension or revocation of the  
11 operating privilege, the operating privilege shall be reinstated without requiring  
12 compliance with s. 343.38. If the secretary receives the certificate after suspension  
13 of the operating privilege or disqualification, the operating privilege or authorization  
14 to operate a commercial motor vehicle shall be reinstated automatically.

15           **SECTION 190.** 343.325 (3) of the statutes is amended to read:

16           343.325 (3) Whenever suspension or revocation of an operating privilege or a  
17 disqualification has been withheld as provided in sub. (2) and the department  
18 receives notice that the conviction in question has been affirmed on appeal or that  
19 the appeal has been dropped, the secretary shall suspend or revoke such operating  
20 privilege or disqualify the person from operating a commercial motor vehicle on the  
21 same basis as if the appeal had not been taken, but the period of suspension or,  
22 revocation or disqualification shall run from the date of suspension or, revocation or  
23 disqualification following the affirmance of the conviction or dropping of the appeal,  
24 less any time the operating privilege had been suspended or revoked or the

1 authorization to operate a commercial motor vehicle had been disqualified prior to  
2 the receipt by the secretary of the certificate under sub. (2).

3 **SECTION 191.** 343.325 (3m) of the statutes is amended to read:

4 343.325 (3m) Whenever the suspension or revocation of an operating privilege  
5 or a disqualification has been rescinded or withheld because of administrative  
6 action, an appeal, or a court order to reopen, stay or vacate a conviction, suspension  
7 or, revocation or disqualification, and that suspension or, revocation or  
8 disqualification is subsequently reimposed, the period of suspension or, revocation  
9 or disqualification so reimposed shall be reduced by the period of suspension or,  
10 revocation or disqualification previously served.

11 **SECTION 192.** 343.325 (4) of the statutes is amended to read:

12 343.325 (4) If a person whose suspension or, revocation or disqualification was  
13 stayed pursuant to sub. (2) is convicted of an offense for which revocation or  
14 disqualification is mandatory under s. 343.31 or 343.315, during the pendency of the  
15 appeal of the original conviction, the secretary shall forthwith revoke such person's  
16 operating privilege or disqualify the person from operating a commercial motor  
17 vehicle on account of the latter conviction, notwithstanding the appeal of either or  
18 both convictions.

19 **SECTION 193.** 343.325 (5) of the statutes is amended to read:

20 343.325 (5) This section shall not prevent suspension or revocation of an  
21 operating privilege or a disqualification if there are grounds for suspension or,  
22 revocation or disqualification other than the conviction in question.

23 **SECTION 194.** 343.325 (6) (a) of the statutes is amended to read:

24 343.325 (6) (a) If a court enters an order reopening, vacating or staying a  
25 conviction or a suspension or revocation of an operating privilege or a

1 disqualification, the court shall promptly forward a copy of that order to the  
2 department.

3 **SECTION 195.** 343.44 (title) of the statutes is amended to read:

4 **343.44 (title) Driving while disqualified, out of service or ordered**  
5 **out-of-service or after license revoked or suspended.**

6 **SECTION 196.** 343.44 (1) of the statutes is amended to read:

7 343.44 (1) No person whose operating privilege has been duly revoked or  
8 suspended pursuant to the laws of this state shall operate a motor vehicle upon any  
9 highway in this state during such suspension or revocation or thereafter before filing  
10 proof of financial responsibility or before that person has obtained a new license in  
11 this state, including an occupational license, or the person's operating privilege has  
12 been reinstated under the laws of this state. No person may operate a commercial  
13 motor vehicle while ordered out-of-service as provided in s. 343.305 (7) (b) or (9) (am)  
14 under state or federal law. No person may operate a commercial motor vehicle after  
15 ~~March 31, 1992~~, while disqualified as provided in s. 343.315.

16 **SECTION 197.** 343.44 (3) of the statutes is amended to read:

17 343.44 (3) Refusal to accept or failure to receive an order of revocation or,  
18 suspension or disqualification mailed by 1st class mail to such person's last-known  
19 address shall not be a defense to the charge of driving after revocation or, suspension  
20 or disqualification. If the person has changed his or her address and fails to notify  
21 the department as required in s. 343.22 then failure to receive notice of revocation  
22 or, suspension or disqualification shall not be a defense to the charge of driving after  
23 revocation or, suspension or disqualification.

24 **SECTION 198.** 343.44 (4r) of the statutes is created to read:

1           343.44 (4r) In addition to other penalties for violation of this section, if a person  
2 has violated this section after he or she was ordered out-of-service under state or  
3 federal law, the violation shall result in disqualification under s. 343.315 (2) (h) or  
4 (i).

5           **SECTION 199.** 344.12 of the statutes is amended to read:

6           **344.12 Applicability of provisions relating to deposit of security for**  
7 **past accidents.** Subject to the exceptions contained in s. 344.14, the provisions of  
8 this chapter requiring deposit of security and requiring revocation for failure to  
9 deposit security apply to the operator and owner of every motor vehicle which is in  
10 any manner involved in an accident in this state which has resulted in bodily injury  
11 to or death of any person or damage to property of any other person in excess of \$500  
12 \$1,000.

13           **SECTION 200.** 344.14 (2) (e) of the statutes is amended to read:

14           344.14 (2) (e) To the operator or owner of a vehicle involved in an accident  
15 wherein no injury was caused to the person of anyone other than such operator or  
16 owner and wherein damage to property of any one person other than such operator  
17 or owner did not exceed \$500 \$1,000.

18           **SECTION 201.** 346.70 (1) of the statutes is amended to read:

19           346.70 (1) IMMEDIATE NOTICE OF ACCIDENT. The operator of a vehicle involved in  
20 an accident resulting in injury to or death of any person, any damage to state or other  
21 government-owned property, except a state or other government-owned vehicle, to  
22 an apparent extent of \$200 or more or total damage to property owned by any one  
23 person or to a state or other government-owned vehicle to an apparent extent of \$500  
24 \$1,000 or more shall immediately by the quickest means of communication give  
25 notice of such accident to the police department, the sheriff's department or the

1 traffic department of the county or municipality in which the accident occurred or  
2 to a state traffic patrol officer. In this subsection, “injury” means injury to a person  
3 of a physical nature resulting in death or the need of first aid or attention by a  
4 physician or surgeon, whether or not first aid or medical or surgical treatment was  
5 actually received; “total damage to property owned by one person” means the sum  
6 total cost of putting the property damaged in the condition it was before the accident,  
7 if repair thereof is practical, and if not practical, the sum total cost of replacing such  
8 property. For purposes of this subsection if any property which is damaged is held  
9 in a form of joint or multiple ownership, the property shall be considered to be owned  
10 by one person.

11 **SECTION 202.** 348.15 (3) (bg), (br), (bv) and (e) of the statutes are amended to  
12 read:

13 348.15 (3) (bg) In the case of a vehicle or combination of vehicles transporting  
14 exclusively milk from the point of production to the primary market and the return  
15 of dairy supplies and dairy products from such primary market to the farm, the gross  
16 weight imposed on the highway by the wheels of any one axle may not exceed 21,000  
17 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more  
18 consecutive axles more than 9 feet apart, a weight of 2,000 pounds more than is  
19 shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply  
20 to the national system of interstate and defense highways, except for that portion of  
21 USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51  
22 and the I 90/94 interchange near Portage upon their federal designation as I 39.

23 (br) In the case of a vehicle or combination of vehicles transporting exclusively  
24 peeled or unpeeled forest products cut crosswise or in the case of a vehicle or  
25 combination of vehicles transporting exclusively scrap metal, the gross weight

1 imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds  
2 or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive  
3 axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c),  
4 but not to exceed 80,000 pounds. This paragraph does not apply to the national  
5 system of interstate and defense highways, except for that portion of USH 51  
6 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the  
7 I 90/94 interchange near Portage upon their federal designation as I 39.

8 (bv) In the case of a vehicle or combination of vehicles used primarily for the  
9 transportation of septage, as defined in s. 144.08 (1) (a), the gross weight imposed on  
10 the highway by the wheels of any one axle may not exceed 21,500 pounds or, for 2  
11 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles  
12 more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c) or,  
13 for groups of 4 or more consecutive axles more than 10 feet apart, a weight of 6,000  
14 pounds more than is shown in par. (c) or, for groups of 5 or more consecutive axles  
15 more than 14 feet apart, a weight of 7,000 pounds more than is shown in par. (c), but  
16 not to exceed 80,000 pounds. This paragraph does not apply to the national system  
17 of interstate and defense highways, except for that portion of USH 51 between  
18 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94  
19 interchange near Portage upon their federal designation as I 39.

20 (e) Notwithstanding pars. (a), (b) and (c), in the case of a vehicle or combination  
21 of vehicles transporting exclusively livestock, the gross weight imposed on the  
22 highway by the wheels of any one axle or axle group may exceed the applicable weight  
23 limitation specified in pars. (a), (b) and (c) by 15% if the gross weight of the vehicle  
24 or combination of vehicles does not exceed the maximum gross weight specified for  
25 that vehicle or combination of vehicles under par. (c). This paragraph does not apply

1 to the national system of interstate and defense highways, except for that portion of  
2 USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51  
3 and the I 90/94 interchange near Portage upon their federal designation as I 39.

4 **SECTION 203.** 348.175 of the statutes is amended to read:

5 **348.175 Seasonal operation of vehicles hauling peeled or unpeeled**  
6 **forest products cut crosswise or abrasives or salt for highway winter**  
7 **maintenance.** The transportation of peeled or unpeeled forest products cut  
8 crosswise or of abrasives or salt for highway winter maintenance in excess of gross  
9 weight limitations under s. 348.15 shall be permitted during the winter months  
10 when the highways are so frozen that no damage may result thereto by reason of such  
11 transportation. If at any time any person is so transporting such products or  
12 abrasives or salt upon a class "A" highway in such frozen condition then that person  
13 may likewise use a class "B" highway without other limitation, except that chains  
14 and other traction devices are prohibited on class "A" highways but such chains and  
15 devices may be used in cases of necessity. The officers or agencies in charge of  
16 maintenance of highways, upon determination of such frozen condition and freedom  
17 of damage to such highways by transportation shall declare particular highways, or  
18 highways within areas of the state as eligible for increased weight limitations. Such  
19 declaration shall include the maximum weight on each axle, combination of axles  
20 and the gross weight allowed. Any person transporting any such product over any  
21 highway of this state under this section is liable to the maintaining authority for any  
22 damage caused to such highway. This section does not apply to the national system  
23 of interstate and defense highways, except for that portion of USH 51 between  
24 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94  
25 interchange near Portage upon their federal designation as I 39.

1           **SECTION 204.** 348.19 (2) (b) and (4) of the statutes are amended to read:

2           348.19 **(2)** (b) If upon weighing a vehicle transporting livestock a traffic officer  
3 determines that the gross weight of the vehicle exceeds the limitations imposed by  
4 s. 348.15 or 348.16 or a limitation posted as provided in s. 348.17 (1), and if the point  
5 of apprehension is 15 miles or less from the destination of the vehicle, the traffic  
6 officer shall permit the operator of the vehicle to proceed to such destination without  
7 requiring the vehicle to be reloaded or unloaded as provided in par. (a). This  
8 paragraph does not apply to vehicles transporting livestock on the national system  
9 of interstate and defense highways, except for that portion of USH 51 between  
10 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94  
11 interchange near Portage upon their federal designation as I 39.

12           **(4)** Subsection (1) (b) shall not apply to vehicles transporting peeled or  
13 unpeeled forest products on the national, interstate or defense highway systems,  
14 except for that portion of USH 51 between Wausau and STH 78 and that portion of  
15 STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal  
16 designation as I 39.

17           **SECTION 205.** 348.27 (4), (9m) and (9r) of the statutes are amended to read:

18           348.27 **(4)** INDUSTRIAL INTERPLANT PERMITS. The department may issue, to  
19 industries and to their agent motor carriers owning and operating oversize vehicles  
20 in connection with interplant, and from plant to state line, operations in this state,  
21 annual or consecutive month permits for the operation of such vehicles over  
22 designated routes, provided that such permit shall not be issued under this section  
23 to agent motor carriers or, except for that portion of USH 51 between Wausau and  
24 STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near  
25 Portage upon their federal designation as I 39, from plant to state line for vehicles

1 or loads of width exceeding 102 inches upon routes of the national system of  
2 interstate and defense highways. If the routes desired to be used by the applicant  
3 involve city or village streets or county or town highways, the application shall be  
4 accompanied by a written statement of route approval by the officer in charge of  
5 maintenance of the highway in question.

6 **(9m)** TRANSPORTATION OF RAW FOREST AND AGRICULTURAL PRODUCTS. The  
7 department may issue annual or consecutive month permits for the transportation  
8 of raw forest products or for the transportation of fruits or vegetables from field to  
9 storage or processing facilities in vehicles or vehicle combinations that exceed the  
10 maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000  
11 pounds. A permit issued under this subsection does not authorize the operation of  
12 any vehicle or vehicle combination at a maximum gross weight in excess of 90,000  
13 pounds. This subsection does not apply to highways designated as part of the  
14 national system of interstate and defense highways, except for that portion of USH  
15 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and  
16 the I 90/94 interchange near Portage upon their federal designation as I 39.

17 **(9r)** TRANSPORTATION OF SCRAP. The department may issue an annual or  
18 consecutive month permit for the transportation of metallic or nonmetallic scrap for  
19 the purpose of recycling or processing on a vehicle or combination of vehicles which  
20 exceeds statutory weight or length limitations and for the return of the vehicle or  
21 combination of vehicles when empty. This subsection does not apply to the  
22 transportation of scrap on highways designated as part of the national system of  
23 interstate and defense highways, except for that portion of USH 51 between Wausau  
24 and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange  
25 near Portage upon their federal designation as I 39.

1           **SECTION 205m.** 349.02 (3) of the statutes is created to read:

2           349.02 (3) (a) In this subsection, “photo radar speed detection” means the  
3 detection of a vehicle’s speed by use of a radar device combined with photographic  
4 identification of the vehicle.

5           (b) Notwithstanding sub. (1), the state and local authorities may not use photo  
6 radar speed detection to determine compliance with any speed restriction imposed  
7 by s. 346.57, 346.58, 346.59, 346.595 or 349.11 or a local ordinance in conformity  
8 therewith.

9           **SECTION 206.** 967.055 (2) (a) of the statutes is amended to read:

10          967.055 (2) (a) Notwithstanding s. 971.29, if the prosecutor seeks to dismiss  
11 or amend a charge under s. 346.63 (1) or (5) or a local ordinance in conformity  
12 therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the  
13 use of a vehicle or an improper refusal under s. 343.305, the prosecutor shall apply  
14 to the court. The application shall state the reasons for the proposed amendment or  
15 dismissal. The court may approve the application only if the court finds that the  
16 proposed amendment or dismissal is consistent with the public’s interest in deterring  
17 the operation of motor vehicles by persons who are under the influence of an  
18 intoxicant, a controlled substance or both, under the influence of any other drug to  
19 a degree which renders him or her incapable of safely driving, or under the combined  
20 influence of an intoxicant and any other drug to a degree which renders him or her  
21 incapable of safely driving, or in deterring the operation of commercial motor  
22 vehicles by persons with an alcohol concentration of 0.04 or more. The court may not  
23 approve an application to amend the vehicle classification from a commercial motor  
24 vehicle to a noncommercial motor vehicle unless there is evidence in the record that

1 the motor vehicle being operated by the defendant at the time of his or her arrest was  
2 not a commercial motor vehicle.

3 **SECTION 9137. Nonstatutory provisions; legislature.**

4 (1gx) STUDIES OF THE DEPARTMENT OF TRANSPORTATION. The joint legislative  
5 audit committee is requested to direct the legislative audit bureau to perform a  
6 performance evaluation audit of the department of transportation. If the committee  
7 directs the legislative audit bureau to perform an audit, the committee shall  
8 determine the scope of the audit and the bureau shall file its report as described  
9 under section 13.94 (1) (b) of the statutes by September 1, 1996.

10 **SECTION 9146. Nonstatutory provisions; public service commission.**

11 (1) FENCING, FARM CROSSING AND CATTLE GUARD COSTS. The commissioner of  
12 railroads and the chairperson of the public service commission shall jointly develop  
13 a plan for phasing in state reimbursement of 100% of the costs incurred by railroads  
14 for fencing, farm crossings and cattleguards, and shall submit a report containing  
15 their findings, conclusions and recommendations, including recommended statutory  
16 changes, to the joint committee on finance by January 1, 1996.

17 **SECTION 9155. Nonstatutory provisions; transportation.**

18 (1) COST-EFFICIENCY STANDARDS.

19 (a) In promulgating rules under section 85.20 (7) (b) of the statutes, as created  
20 by this act, the department of transportation shall establish a transit committee to  
21 assist the department in developing the cost-efficiency standards for the purposes  
22 of section 85.20 (7) (a) of the statutes, as created by this act. The transit committee  
23 shall advise the department on implementation of the cost-efficiency standards.

24 (b) This subsection does not apply after June 30, 1997.

1           (2) ENTITLEMENT TO SUPPLEMENTS FOR UNBUDGETED COMPENSATION ADJUSTMENTS.

2           Notwithstanding section 20.928 of the statutes, the department of transportation is  
3           not entitled to any supplements for unbudgeted compensation adjustments under  
4           section 20.928 of the statutes for the 1995-97 fiscal biennium for any position funded  
5           from the appropriations under section 20.395 (2) (eq) of the statutes or section 20.395  
6           (3) (bq), (cq) or (eq) of the statutes, as affected by this act, except for any supplement  
7           that exceeds an adjustment increase for that position of 2.5%, as determined by the  
8           secretary of administration.

9           (3) EFFICIENCY MEASURES.   By December 1, 1995, the department of

10          transportation shall submit recommendations to the joint committee on finance if  
11          the department wishes to reallocate reductions resulting from budgetary efficiency  
12          measures and position vacancy reductions among the segregated fund revenue  
13          appropriations of the department of transportation for state operations.  If the  
14          department submits recommendations under this subsection, the recommendations  
15          shall be implemented if the committee approves the recommendations, or does not  
16          schedule a meeting for the purpose of reviewing the recommendations within 14  
17          working days after their receipt.

18          (3x) STATE TRUNK HIGHWAY DESIGNATION.  The department of transportation

19          shall negotiate the jurisdictional transfer of CTH "X" in Winnebago County from the  
20          county to the state.  Upon completion of the transfer under this subsection, the  
21          department shall, notwithstanding section 84.02 of the statutes, mark as a new state  
22          trunk highway the route commencing at the junction of STH 44 and USH 41 in  
23          Winnebago County and proceeding southerly on STH 44 to its junction with CTH "X";  
24          then proceeding westerly on CTH "X" to its junction with STH 116; and then  
25          proceeding westerly on STH 116 to the city of Berlin in Green Lake County.

1           (3y) TRANSPORTATION FINANCING STUDY.

2           (a) The department of transportation shall create a committee to study  
3 transportation financing. The committee shall consist of the following members:

- 4           1. One member of the assembly, appointed by the speaker of the assembly.
- 5           2. One member of the senate, appointed by the majority leader of the senate.
- 6           3. One member of the assembly, appointed by the assembly minority leader.
- 7           4. One member of the senate, appointed by the senate minority leader.
- 8           5. Three members appointed by the secretary of transportation.

9           (b) The committee shall study revenue sources for transportation funding,  
10 including an oil company franchise fee or substantially similar tax, fee or surcharge  
11 accomplishing the same objective, and all other funding sources for transportation  
12 used by other states, and shall submit a report containing its findings, conclusions,  
13 and recommendations for appropriate transportation funding sources for this state,  
14 to the legislature in the manner provided under section 13.172 (2) of the statutes and  
15 to the governor no later than July 1, 1996.

16           (4) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes, in  
17 submitting information under section 16.42 of the statutes for purposes of the  
18 1997-99 biennial budget bill, the department of transportation shall include the  
19 following:

20           (a) A dollar amount for each fiscal year of the 1997-99 fiscal biennium for the  
21 appropriation account under section 20.395 (5) (cq) of the statutes that is \$430,600  
22 less than the total amount appropriated under section 20.395 (5) (cq) of the statutes  
23 for the 1996-97 fiscal year, before submitting any information relating to any  
24 increase or decrease in the dollar amount for that appropriation for the 1997-99  
25 fiscal biennium.

1 (b) A number for the authorized FTE positions for the department of  
2 transportation, to be funded from the appropriation under section 20.395 (5) (cq) of  
3 the statutes, that is 24.2 SEG positions less than the number of authorized FTE  
4 positions funded from that appropriation for the 1996-97 fiscal year, before  
5 submitting any information relating to any increase or decrease in FTE position  
6 authorizations to be funded from that appropriation for the 1997-99 fiscal biennium.

7 (c) Recommendations for statutory changes that would provide for the  
8 separation of vehicle ownership from vehicle registration, to be effective with the  
9 completion of the redesign of the vehicle registration database.

10 (5) ELDERLY AND DISABLED TRANSPORTATION EXPENDITURES STUDY. The  
11 department of transportation shall conduct a study to determine the total amount  
12 and sources of all funds expended in this state on transportation services for the  
13 elderly and disabled. On or before July 1, 1996, the department of transportation  
14 shall report the results of its study to the governor, and to the chief clerk of each house  
15 of the legislature for distribution in the manner provided under section 13.172 (2) of  
16 the statutes. All other state agencies shall cooperate with the department of  
17 transportation in conducting the study.

18 (6) REPAVING OF I 43. The department of transportation shall repave that  
19 portion of I 43 having a tined surface beginning before Henry Clay Street and  
20 extending beyond Bender and Devon streets in Milwaukee County, no later than one  
21 year after the effective date of this subsection, for the purpose of eliminating the  
22 tined surface.

23 (6x) EAST-WEST FREEWAY. The department of transportation may not  
24 encumber more than \$51,300,000 in the 1995-97 fiscal biennium from the  
25 appropriation under section 20.395 (3) (cq), (cv) or (cx) of the statutes, as affected by

1 this act, for any construction activities relating to highway resurfacing or bridge  
2 repair on the East-West Freeway from downtown Milwaukee to Waukesha.

3 (6y) OUTDOOR ADVERTISING DISPLACEMENT COMPENSATION. The department of  
4 transportation shall, with the cooperation of the Outdoor Advertising Association  
5 and any other interested person, develop a fixed payment schedule of amounts to  
6 reimburse a person, at that person's election and in lieu of any payments under  
7 section ILHR 202.64, Wisconsin Administrative Code, who is displaced from an  
8 outdoor advertising sign by a transportation project and who is eligible for payment  
9 under section ILHR 202.64, Wisconsin Administrative Code, for expenses related to  
10 the displacement. The department shall submit the payment schedule to the  
11 cochairpersons of the joint committee on finance no later than January 1, 1996, for  
12 the approval of the joint committee on finance.

13 (7) CALCULATION OF RATE. The department of transportation shall determine  
14 the rate for calculating the amount due under section 341.45 (1g) (a) of the statutes,  
15 as affected by this act, for the 4th quarter of 1995 by adding the rates for the taxes  
16 under chapter 78 of the statutes and the fee under section 168.12 of the statutes for  
17 each of the months in the quarter, by adding the 3 total rates and by dividing that  
18 total by 3.

19 (8x) SURPLUS LAND SALE. The department of transportation shall sell sufficient  
20 surplus land, as defined in section 84.09 (8) (a) of the statutes, during the 1995-97  
21 fiscal biennium to deposit not less than \$4,500,000 in the transportation fund from  
22 such sales.

23 (8y) MAIN STREET BRIDGE. The department of transportation shall request the  
24 federal department of transportation to make an advance commitment of future  
25 federal funds to this state for the replacement of the Main Street bridge in the city

1 of Green Bay and to specify the amount of those funds. The department of  
2 transportation shall contract, as soon as practicable after receiving a favorable  
3 response to that request, for the replacement of that bridge.

4 (9x) The authorized FTE positions for the department of transportation for the  
5 division of highways and transportation services are decreased by 18.0 SEG  
6 positions and by 22.0 FED positions. In deauthorizing positions under this  
7 subsection, the department shall deauthorize positions vacant on the effective date  
8 of this subsection that are directly related to highway design and production  
9 functions within the division of highways and transportation services.

10 **SECTION 9159. Nonstatutory provisions; other.**

11 (1) REVISING SCHEDULES AND SUMMARIES. In submitting and approving the  
12 schedule under section 20.005 (3) of the statutes, pursuant to section 20.004 (2) of the  
13 statutes, the secretary of administration and the joint committee on finance shall do  
14 all of the following:

15 (a) Increase the estimated expenditures under sections 20.370 (5) (cs) and  
16 20.855 (4) (t) of the statutes by \$269,400 for fiscal year 1996-97, to reflect the  
17 creation of sections 78.017 and 78.407 of the statutes by this act.

18 (b) Increase the estimated expenditures under sections 20.370 (5) (ct) and  
19 20.855 (4) (u) of the statutes by \$48,300 for fiscal year 1996-97, to reflect the creation  
20 of sections 78.017 and 78.407 of the statutes by this act.

21 (c) Increase the estimated expenditures under section 20.855 (4) (s) of the  
22 statutes by \$1,093,400 for fiscal year 1996-97, to reflect the creation of sections  
23 78.017 and 78.407 of the statutes by this act.

24 **SECTION 9242. Appropriation changes; natural resources.**

1           (1) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM. There is transferred  
2 from the appropriation account to the department of natural resources under section  
3 20.370 (9) (mr) of the statutes, as affected by the acts of 1995, to the appropriation  
4 account to the department of transportation under section 20.395 (5) (dk) of the  
5 statutes, as affected by the acts of 1995, \$52,100 in fiscal year 1996-97.

6           **SECTION 9255. Appropriation changes; transportation.**

7           (1) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM.

8           (a) There is transferred from the appropriation account to the department of  
9 transportation under section 20.395 (5) (dq) of the statutes, as affected by the acts  
10 of 1995, to the appropriation account to the department of transportation under  
11 section 20.395 (5) (dk) of the statutes, as affected by the acts of 1995, \$35,500 in fiscal  
12 year 1996-97.

13           (b) There is transferred from the appropriation account to the department of  
14 transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of  
15 1995, to the appropriation account to the department of transportation under section  
16 20.395 (5) (dk) of the statutes, as affected by the acts of 1995, \$16,600 in fiscal year  
17 1996-97.

18           (2) HAZARDOUS MATERIALS TRANSPORTATION FEES. Notwithstanding section  
19 20.001 (3) (b) of the statutes, the unencumbered balance in the appropriation account  
20 under section 20.395 (4) (bh) of the statutes, as affected by this act, immediately  
21 before the effective date of this subsection shall lapse to the transportation fund.

22           **SECTION 9348. Initial applicability; revenue.**

23           (1) MOTOR VEHICLE FUEL EXEMPTIONS. The treatment of sections 78.005 (13g),  
24 78.01 (2) (e) and (2m) (f) and 78.75 (1m) (a) 2. and 3. of the statutes and the repeal

1 and recreation of section 78.40 (1) of the statutes first apply to fuel purchased on the  
2 first day of the first month beginning after publication.

3 (2) GROSS FARM PROFITS CERTIFICATION. The treatment of section 73.03 (29m) of  
4 the statutes first applies to taxable years beginning on January 1, 1996.

5 **SECTION 9355. Initial applicability; transportation.**

6 (1) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment of sections  
7 344.12, 344.14 (2) (e) and 346.70 (1) of the statutes first applies to accidents occurring  
8 on the effective date of this subsection.

9 (2) COMMERCIAL DRIVER LICENSES. The treatment of sections 343.10 (2) (a) 1.,  
10 343.245 (4) (b), 343.28 (1) and (2), 343.315 (2) (f) (intro.), (fm), (h) and (i) and 343.44  
11 (4r) of the statutes first applies to offenses and refusals committed on the effective  
12 date of this subsection, but does not preclude the counting of other convictions,  
13 suspensions, revocations, disqualifications or refusals as prior convictions,  
14 suspensions, revocations, disqualifications or refusals for purposes of sentencing a  
15 person, suspending or revoking a person's operating privilege, disqualifying a person  
16 from operating a commercial motor vehicle or determining eligibility for an  
17 occupational license or authorization to operate certain vehicles.

18 (4) HAZARDOUS MATERIALS TRANSPORTATION FEES. The treatment of sections 85.50  
19 and 166.20 (7g) of the statutes first applies to activities engaged within or through  
20 this state on July 1, 1994.

21 (8x) RENEWAL FEE FOR PERSONALIZED PLATES. The treatment of sections 25.40 (1)  
22 (a) 13. and 341.145 (3m) of the statutes first applies to fees collected after the effective  
23 date of this subsection.

24 **SECTION 9400. Effective dates; general.** Except as otherwise provided in  
25 SECTIONS 9401 to 9459 of this act, this act takes effect on the day after publication.

1           **SECTION 9430. Effective dates; industry, labor and human relations.**

2           (1) EMPLOYMENT TRANSIT ASSISTANCE PROGRAM. The treatment of section 25.40

3           (2) (b) 15g. of the statutes and the renumbering and amendment of section 20.395 (1)  
4           (bw) of the statutes take effect on July 1, 1996.

5           **SECTION 9455. Effective dates; transportation.**

6           (1x) BORDER AREA REBATES. The treatment of sections 20.855 (4) (r), 25.40 (2)

7           (b) 23m. and 73.03 (53) of the statutes takes effect on July 1, 1997.

8           (2) AUTO DEALER LICENSES. The repeal and recreation of section 218.01 (2) (bd)  
9           1g. and (3x) (b) 2. and 3. of the statutes takes effect on July 1, 1996.

10          (3) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment of sections 344.12,  
11          344.14 (2) (e) and 346.70 (1) of the statutes and SECTION 9355 (1) of this act take effect  
12          on January 1, 1996.

13          (4) SPECIAL GROUP LICENSE PLATE FEES. The treatment of section 341.14 (6r) (b)  
14          2., 3. and 4. of the statutes takes effect on January 1, 1996.

15          (5) EXEMPTION REPORTS. The treatment of section 70.337 (7) of the statutes  
16          takes effect on March 31, 1996.

17          (6) INTERNATIONAL FUEL TAX AGREEMENT; PERMITS; FEES. The treatment of sections  
18          20.395 (5) (cq), 25.40 (1) (a) 12., 341.43 and 341.45 (title), (1g) (a) and (b), (2), (3), (4m)  
19          and (5) of the statutes takes effect on December 1, 1995.

20          (7) AIRCRAFT REGISTRATION. (a) The treatment of sections 114.002 (4), (11) and  
21          (13) and 114.20 (1) (title), (a) and (b), (2) (intro.) and (c), (5), (7), (9) (a) to (c) and (d),  
22          (9m) (intro.), (12), (13) (b) 1., 2., 3. and 5. and (15) (b) of the statutes takes effect on  
23          November 1, 1996.

