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## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

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<b>2003 Wisconsin Act 205</b> [2003 Assembly Bill 471]	<b>Reimbursement of Municipalities for Fire Calls on Highways: Collection from Insurer</b>
2003 Acts: <a href="http://www.legis.state.wi.us/2003/data/acts/">www.legis.state.wi.us/2003/data/acts/</a>	Act Memos: <a href="http://www.legis.state.wi.us/lc/act_memo/act_memo.htm">www.legis.state.wi.us/lc/act_memo/act_memo.htm</a>

2003 Wisconsin Act 205 addresses collection efforts by cities, villages, and towns in connection with their eligibility for reimbursement for fire calls on highways.

Currently, cities, villages, and towns may, under specified circumstances, be eligible for reimbursement from the state, subject to specified maximum amounts, for costs incurred for fire calls made on certain highways. The reimbursement program is administered by the state Department of Transportation (DOT). Under current practice, DOT requires the municipality to first seek reimbursement from the person for whom the fire call was made in order to obtain reimbursement from the state.

Act 205 requires the municipality to first attempt to recover its costs for highway fire calls from the insurer of the person for whom the call was provided; the municipality may not attempt to collect directly from the person for whom the call was provided unless the municipality was unsuccessful in collecting from the insurer.

The impetus for Act 205 was a multiple vehicle, multiple fatality chain reaction accident that occurred on Interstate 43 on October 11, 2002. Attempts to initially recover costs for related fire calls from victims or their families were criticized and received publicity in the media.

**Effective Date:** Act 205 took effect April 23, 2004 and first applies to highway fire calls made on that date.

**Prepared by:** Don Dyke, Chief of Legal Services

April 30, 2004

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.