



**SENATE AMENDMENT 117,
TO 1995 ASSEMBLY BILL 150**

June 28, 1995 – Offered by Senators ELLIS, LEEAN and RUDE.

1 At the locations indicated, amend the engrossed bill as follows:

2 **1.** Page 175, line 1: delete the material inserted by senate amendment ...
(LRBb1649/2).

3 **2.** Page 249, line 1: delete the material beginning with that line and ending
with page 258, line 8, and substitute:

4 **“20.395 Transportation, department of**

5 (1) AIDS

6 (ar) Corrections of transportation aid

7 payments SEG S -0- -0-

8 (as) Transportation aids to counties,

9 state funds SEG A 68,809,500 73,473,900

10 (at) Transportation aids to

11 municipalities, state funds SEG A 213,243,100 220,823,200

12 (bq) Small communities transit

13 operating aids, state funds SEG A 53,139,900 4,374,000

1	(br)	Milwaukee urban area rail transit				
2		system planning study, state funds	SEG	A	-0-	-0-
3	(bs)	Medium-sized communities transit				
4		operating aids, state funds	SEG	A	3,502,500	14,383,600
5	(bt)	Urban rail transit system grants	SEG	C	-0-	-0-
6	(bu)	Large communities transit				
7		operating aids, state funds	SEG	A	17,549,000	59,801,000
8	(bv)	Transit aids, local funds	SEG-L	C	-0-	-0-
9	(bw)	Employment transit aids, state				
10		funds	SEG	A	596,500	-0-
11	(bx)	Transit aids, federal funds	SEG-F	C	13,800,000	6,600,000
12	(by)	Employment transit aids, federal				
13		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	5,355,600	5,516,300
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	(ds)	Demand management and				
23		ride-sharing grants, state funds	SEG	A	300,000	300,000
24	(ex)	Highway safety, local assistance,				
25		federal funds	SEG-F	C	1,700,000	1,700,000

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	1,350,000	1,500,000
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			395,192,600	405,397,200
		FEDERAL			(16,600,000)	(9,400,000)
		OTHER			(378,134,200)	(395,533,300)
		LOCAL			(458,400)	(463,900)
		TOTAL-ALL SOURCES			395,192,600	405,397,200
8	(2)	LOCAL TRANSPORTATION ASSISTANCE				
9	(aq)	Accelerated local bridge				
10		improvement assistance, state				
11		funds	SEG	C	5,075,000	1,000,000
12	(av)	Accelerated local bridge				
13		improvement assistance, local				
14		funds	SEG-L	C	1,691,700	333,300
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
20	(bu)	Freight rail infrastructure				
21		improvements, state funds	SEG	C	5,579,800	5,579,800

1	(bv)	Rail service assistance, local funds	SEG-L	C	500,000	500,000
2	(bw)	Freight rail assistance loan				
3		repayments, local funds	SEG-L	C	-0-	-0-
4	(bx)	Rail service assistance, federal				
5		funds	SEG-F	C	50,000	50,000
6	(cq)	Harbor assistance, state funds	SEG	C	580,700	580,700
7	(dq)	Aeronautics assistance, state funds	SEG	C	12,863,900	12,863,900
8	(dv)	Aeronautics assistance, local funds	SEG-L	C	6,985,200	6,985,200
9	(dx)	Aeronautics assistance, federal				
10		funds	SEG-F	C	20,000,000	20,000,000
11	(eq)	Highway and local bridge				
12		improvement assistance, state				
13		funds	SEG	C	8,188,200	9,170,000
14	(ev)	Local bridge improvement				
15		assistance, local funds	SEG-L	C	8,182,300	8,427,700
16	(ex)	Local bridge improvement				
17		assistance, federal funds	SEG-F	C	24,538,200	24,538,200
18	(fr)	Local roads improvement program,				
19		state funds	SEG	C	11,336,400	11,676,500
20	(fv)	Local transportation facility				
21		improvement assistance, local				
22		funds	SEG-L	C	25,733,400	26,073,500
23	(fx)	Local transportation facility				
24		improvement assistance, federal				
25		funds	SEG-F	C	57,138,000	57,138,000

1	(gq) Railroad crossing improvement and				
2	protection maintenance, state funds	SEG	A	2,250,000	2,250,000
3	(gr) Railroad crossing improvement and				
4	protection installation, state funds	SEG	A	450,000	450,000
5	(gs) Railroad crossing repair assistance,				
6	state funds	SEG	C	-0-	-0-
7	(gv) Railroad crossing improvement,				
8	local funds	SEG-L	C	-0-	-0-
9	(gx) Railroad crossing improvement,				
10	federal funds	SEG-F	C	1,849,300	1,849,300
11	(hq) Multimodal transportation studies,				
12	state funds	SEG	C	750,000	750,000
13	(hx) Multimodal transportation studies,				
14	federal funds	SEG-F	C	-0-	-0-
15	(iq) Transportation facilities economic				
16	assistance and development, state				
17	funds	SEG	C	3,605,000	3,713,200
18	(iv) Transportation facilities economic				
19	assistance and development, local				
20	funds	SEG-L	C	3,605,000	3,713,200
21	(iw) Transportation facility				
22	improvement loans, local funds	SEG-L	C	-0-	-0-
23	(ix) Transportation facilities economic				
24	assistance & development, federal				
25	funds	SEG-F	C	-0-	-0-

1	(jq)	Surface transportation grants, state				
2		funds	SEG	C	-0-	-0-
3	(jv)	Surface transportation grants, local				
4		funds	SEG-L	C	912,500	912,500
5	(jx)	Surface transportation grants,				
6		federal funds	SEG-F	C	3,650,000	3,650,000
7	(kv)	Congestion mitigation and air				
8		quality improvement, local funds	SEG-L	C	2,019,900	2,019,900
9	(kx)	Congestion mitigation and air				
10		quality improvement, federal funds	SEG-F	C	8,079,500	8,079,500
11	(mq)	Local assistance administration,				
12		state funds	SEG	A	1,463,000	1,460,700
13	(mv)	Local assistance administration,				
14		local funds	SEG-L	C	-0-	-0-
15	(mx)	Local assistance administration,				
16		federal funds	SEG-F	C	300,000	300,000

(2) PROGRAM TOTALS

SEGREGATED FUNDS	220,480,900	217,169,000
FEDERAL	(117,105,000)	(117,105,000)
OTHER	(53,370,900)	(50,723,700)
LOCAL	(50,005,000)	(49,340,300)
TOTAL-ALL SOURCES	220,480,900	217,169,000

17	(3)	STATE HIGHWAY FACILITIES				
18	(aq)	Environmental clean-up activities,				
19		state funds	SEG	C	2,000,000	2,000,000
20	(bq)	Major highway development, state				
21		funds	SEG	C	14,875,500	15,322,100

1	(br) Major highway development,				
2	service funds	SEG-S	C	106,774,900	111,663,300
3	(bv) Major highway development, local				
4	funds	SEG-L	C	-0-	-0-
5	(bx) Major highway development,				
6	federal funds	SEG-F	C	59,550,500	61,337,000
7	(cq) State highway rehabilitation, state				
8	funds	SEG	C	255,367,900	297,034,300
9	(cs) Two-lane state highway				
10	rehabilitation, state funds	SEG	C	-0-	-0-
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	159,166,000	157,379,500
15	(eq) Highway maintenance, repair and				
16	traffic operations, state funds	SEG	B	140,492,900	144,301,600
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	17,415,200	17,415,200
23	(ir) Disadvantaged business				
24	mobilization assistance, state funds	SEG	C	-0-	-0-

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
(3) P R O G R A M T O T A L S						
		SEGREGATED FUNDS			742,680,600	791,331,700
		FEDERAL			(220,499,200)	(220,499,200)
		OTHER			(428,951,500)	(474,873,200)
		SERVICE			(90,979,900)	(93,709,300)
		LOCAL			(2,250,000)	(2,250,000)
		TOTAL-ALL SOURCES			742,680,600	791,331,700
5	(4)	GENERAL TRANSPORTATION OPERATIONS				
6	(aq)	Departmental management and				
7		operations, state funds	SEG	A	38,391,000	38,205,200
8	(ar)	Minor construction projects, state				
9		funds	SEG	C	708,600	574,600
10	(at)	Capital building projects, service				
11		funds	SEG-S	C	4,674,000	4,674,000
12	(av)	Departmental management and				
13		operations, local funds	SEG-L	C	369,000	369,000
14	(ax)	Departmental management and				
15		operations, federal funds	SEG-F	C	6,825,000	6,825,000
16	(ch)	Gifts and grants	PR	C	-0-	-0-
17	(dq)	Demand management	SEG	A	250,500	250,500
18	(eq)	Data processing services, service				
19		funds	SEG-S	C	15,109,600	15,109,600
20	(er)	Fleet operations, service funds	SEG-S	C	11,413,900	11,413,900

1	(es)	Other department services,				
2		operations, service funds	SEG-S	C	1,119,800	1,119,800
3	(et)	Equipment acquisition	SEG	A	-0-	-0-
(4) P R O G R A M T O T A L S						
		PROGRAM REVENUE			-0-	-0-
		OTHER			(-0-)	(-0-)
		SEGREGATED FUNDS			78,959,200	78,639,400
		FEDERAL			(6,825,000)	(6,825,000)
		OTHER			(39,447,900)	(39,128,100)
		SERVICE			(32,317,300)	(32,317,300)
		LOCAL			(369,000)	(369,000)
		TOTAL-ALL SOURCES			78,959,200	78,639,400
4	(5)	MOTOR VEHICLE SERVICES AND ENFORCEMENT				
5	(cg)	Vehicle registration, telephone				
6		renewal transactions, state funds	PR	C	-0-	-0-
7	(ch)	Repaired salvage vehicle				
8		examinations, state funds	PR	C	-0-	-0-
9	(cq)	Vehicle reg., inspection &				
10		maintenance & driver licensing,				
11		state funds	SEG	A	60,726,500	61,403,900
12	(cx)	Vehicle registration and driver				
13		licensing, federal funds	SEG-F	C	200,000	200,000
14	(dk)	Public safety radio management,				
15		service funds	PR-S	C	143,600	143,600
16	(dq)	Vehicle inspection, traffic				
17		enforcement and radio				
18		management, state funds	SEG	A	37,801,100	38,182,100
19	(dx)	Vehicle inspection and traffic				
20		enforcement, federal funds	SEG-F	C	2,029,300	2,029,300

1	(hq) Motor veh. emission insp. and				
2	maint. program, contractor costs,				
3	state funds	SEG	A	8,021,700	8,021,700
4	(hx) Motor vehicle emission inspection				
5	and maintenance programs, federal				
6	funds	SEG-F	C	-0-	-0-
7	(iv) Municipal and county registration				
8	fee, local funds	SEG-L	C	-0-	-0-

(5) PROGRAM TOTALS

PROGRAM REVENUE		143,600	143,600
OTHER SERVICE		(-0-)	(-0-)
SEGREGATED FUNDS		(143,600)	(143,600)
FEDERAL		108,778,600	109,837,000
OTHER LOCAL		(2,229,300)	(2,229,300)
TOTAL-ALL SOURCES		(106,549,300)	(107,607,700)
		(-0-)	(-0-)
		108,922,200	109,980,600

9 (6) DEBT SERVICES

10	(aq) Principal repayment and interest,				
11	transportation facilities, state funds	SEG	S	8,643,300	7,241,500
12	(ar) Principal repayment and interest,				
13	buildings, state funds	SEG	S	686,800	645,100
14	(as) Transportation facilities and				
15	highway projects revenue				
16	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 SERVICE		(-0-)	(-0-)
		(143,600)	(143,600)

SEGREGATED FUNDS	1,555,422,000	1,610,260,900
FEDERAL	(363,258,500)	(356,058,500)
OTHER	(1,015,783,900)	(1,075,752,600)
SERVICE	(123,297,200)	(126,026,600)
LOCAL	(53,082,400)	(52,423,200)
TOTAL-ALL SOURCES	1,555,565,600	1,610,404,500”.

- 1 **3.** Page 290, line 1: delete “aids, federal”.
- 2 **4.** Page 290, line 2: delete “oil overcharge funds” and substitute “assistance
program”.
- 3 **5.** Page 327, line 13: increase the dollar amount for fiscal year 1995–96 by
\$56,400 and increase the dollar amount for fiscal year 1996–97 by \$5,200 to increase
funding for costs incurred in administering the oil company franchise fee.
- 4 **6.** Page 413, line 7: delete the material beginning with that line and ending
with page 418, line 10, and substitute:
- 5 “**SECTION 772he.** 20.395 (1) (bq) of the statutes is amended to read:
- 6 20.395 (1) (bq) (title) *Transit Small communities transit operating aids, state*
7 *funds.* The amounts in the schedule for ~~the mass transit aid program~~ aids to small
8 communities under s. 85.20 (4m) (a) 1.
- 9 **SECTION 772hjb.** 20.395 (1) (bs) of the statutes is renumbered 20.395 (1) (ds).
- 10 **SECTION 772hmb.** 20.395 (1) (bs) of the statutes is created to read:
- 11 20.395 (1) (bs) *Medium-sized communities transit operating aids, state funds.*
- 12 The amounts in the schedule for mass transit aids to medium-sized communities
13 under s. 85.20 (4m) (a) 2.
- 14 **SECTION 772htb.** 20.395 (1) (bu) of the statutes is amended to read:

1 20.395 (1) (bu) (title) *Supplemental Large communities transit operating aids,*
2 *state funds.* The amounts in the schedule for the mass transit aid program aids to
3 large communities under s. 85.20 (4m) ~~(am)~~ (a) 3.

4 **SECTION 772hzb.** 20.395 (1) (bw) of the statutes is created to read:

5 20.395 (1) (bw) *Employment transit aids, state funds.* The amounts in the
6 schedule for the employment transit assistance program under s. 85.26.

7 **SECTION 772imb.** 20.395 (1) (bw) of the statutes, as created by 1995 Wisconsin
8 Act (this act), is renumbered 20.445 (1) (uy) and amended to read:

9 20.445 (1) (uy) (title) *Employment transit aids, state funds assistance program.*
10 ~~The~~ From the transportation fund, the amounts in the schedule for the employment
11 transit assistance program under s. ~~85.26~~ 106.26.

12 **SECTION 772mmb.** 20.395 (1) (by) of the statutes is renumbered 20.445 (1) (ux)
13 and amended to read:

14 20.445 (1) (ux) *Employment transit aids, federal funds.* ~~All~~ From the
15 transportation fund, all moneys received from the federal government for the
16 employment transit assistance program under s. ~~85.26~~ 106.26, for that purpose.

17 **SECTION 772pb.** 20.395 (1) (bz) of the statutes is repealed.

18 **SECTION 772qb.** 20.395 (2) (bq) (title) of the statutes is repealed and recreated
19 to read:

20 20.395 (2) (bq) (title) *Rail service assistance, state funds.*

21 **SECTION 772rb.** 20.395 (2) (bt) of the statutes is repealed.

22 **SECTION 772ub.** 20.395 (2) (bu) of the statutes is amended to read:

23 20.395 (2) (bu) *Freight rail infrastructure improvements, state funds.* As a
24 continuing appropriation, the amounts in the schedule for loans under s. 85.08 (4m)
25 (d) and (e) and to make payments under s. 85.085.

1 **SECTION 772wb.** 20.395 (3) (aq) of the statutes is created to read:

2 20.395 (3) (aq) *Environmental clean-up activities, state funds.* As a continuing
3 appropriation, the amounts in the schedule for environmental clean-up activities
4 under s. 84.01 (30).

5 **SECTION 772zb.** 20.395 (3) (bq) of the statutes is amended to read:

6 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
7 appropriation, the amounts in the schedule for major development of state trunk and
8 connecting highways and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged
9 business demonstration and training program under s. 84.076.

10 **SECTION 773bb.** 20.395 (3) (bv) of the statutes is amended to read:

11 20.395 (3) (bv) *Major highway development, local funds.* All moneys received
12 from any local unit of government or other source for major development of state
13 trunk and connecting highways, including the railroad and utility alteration and
14 relocation loan program under s. 84.065, and, before ~~July 1, 1995~~ October 1, 1997,
15 the disadvantaged business demonstration and training program under s. 84.076,
16 for such purposes.

17 **SECTION 773db.** 20.395 (3) (bx) of the statutes is amended to read:

18 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received
19 from the federal government for major development of state trunk and connecting
20 highways and, before ~~July 1, 1995~~ October 1, 1997, the disadvantaged business
21 demonstration and training program under s. 84.076, for such purposes.

22 **SECTION 773gb.** 20.395 (3) (cq) of the statutes is amended to read:

23 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing
24 appropriation, the amounts in the schedule for improvement of existing state trunk
25 and connecting highways; for improvement of bridges on state trunk or connecting

1 highways and other bridges for which improvement is a state responsibility, for
2 necessary approach work for such bridges and for replacement of such bridges with
3 at-grade crossing improvements; for the construction and rehabilitation of the
4 national system of interstate and defense highways and bridges and related
5 appurtenances; for special maintenance activities under s. 84.04 on roadside
6 improvements; for bridges under s. 84.10; for payment to a local unit of government
7 for a jurisdictional transfer under s. 84.02 (8); and, before ~~July 1, 1995~~ October 1,
8 1997, for the disadvantaged business demonstration and training program under s.
9 84.076.

10 **SECTION 773hb.** 20.395 (3) (cs) of the statutes is created to read:

11 20.395 (3) (cs) *Two-lane state highway rehabilitation, state funds.* All moneys
12 received from the sale of surplus land, as defined in s. 84.09 (8) (a), by the
13 department, for the purpose of the rehabilitation of two-lane state trunk highways.

14 **SECTION 773jb.** 20.395 (3) (cv) of the statutes is amended to read:

15 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received
16 from any local unit of government or other source for the specific information sign
17 program under s. 86.195; for improvement of existing state trunk and connecting
18 highways; for improvement of bridges on state trunk or connecting highways and
19 other bridges for which improvement is a state responsibility, for necessary approach
20 work for such bridges and for replacement of such bridges with at-grade crossing
21 improvements; for the construction and rehabilitation of the national system of
22 interstate and defense highways and bridges and related appurtenances; for special
23 maintenance activities under s. 84.04 on roadside improvements; for the railroad
24 and utility alteration and relocation loan program under s. 84.065 and, before July

1 ~~1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and training
2 program under s. 84.076, for such purposes.

3 **SECTION 773mb.** 20.395 (3) (cx) of the statutes is amended to read:

4 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys
5 received from the federal government for improvement of existing state trunk and
6 connecting highways; for improvement of bridges on state trunk or connecting
7 highways and other bridges for which improvement is a state responsibility, for
8 necessary approach work for such bridges and for replacement of such bridges with
9 at-grade crossing improvements; for the construction and rehabilitation of the
10 national system of interstate and defense highways and bridges and related
11 appurtenances; for special maintenance activities under s. 84.04 on roadside
12 improvements and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged
13 business demonstration and training program under s. 84.076, for such purposes.

14 **SECTION 773pb.** 20.395 (3) (eq) of the statutes is amended to read:

15 20.395 (3) (eq) *Highway maintenance, repair and traffic operations, state*
16 *funds.* Biennially, the amounts in the schedule for the maintenance and repair of
17 roadside improvements under s. 84.04, state trunk highways under s. 84.07 and
18 bridges that are not on the state trunk highway system under s. 84.10; for highway
19 operations such as permit issuance, pavement marking, highway signing, traffic
20 signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27
21 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business
22 demonstration and training program under s. 84.076. This paragraph does not apply
23 to special maintenance activities under s. 84.04 on roadside improvements.

24 **SECTION 773rb.** 20.395 (3) (ev) of the statutes is amended to read:

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

11 **SECTION 773wb.** 20.395 (3) (ex) of the statutes is amended to read:

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

22 **7.** [Page 413, line 7](#): delete the material inserted by senate amendment
(LRBb1649/2).

1 **8. Page 418, line 16:** delete the material beginning with that line and ending
with page 419, line 7, and substitute:

2 “**SECTION 774eb.** 20.395 (4) (bh) of the statutes is repealed.

3 **SECTION 774jb.** 20.395 (5) (cq) of the statutes is amended to read:

4 20.395 (5) (cq) *Vehicle registration, inspection and maintenance and driver*
5 *licensing, state funds.* The amounts in the schedule for administering the vehicle
6 registration and driver licensing program, including the traffic violation and
7 registration program and the driver license reinstatement training program under
8 s. 85.28, for administering the motor vehicle emission inspection and maintenance
9 program under s. 110.20, for the training of inspectors under s. 110.22, for
10 administering the fuel tax and fee reporting program under s. 341.45 and to
11 compensate for services performed, as determined by the secretary of transportation,
12 by any county providing registration services.

13 **SECTION 774mb.** 20.395 (5) (dk) of the statutes is amended to read:

14 20.395 (5) (dk) *Public safety radio management, service funds.* From the
15 general fund, all moneys received by the department from the department and from
16 other state agencies for purposes related to the statewide public safety radio
17 management program under s. 85.12, for that purpose.”

18 **9. Page 491, line 8:** delete lines 8 to 12 and substitute:

19 “**SECTION 1066kb.** 20.505 (1) (md) of the statutes is amended to read:

20 20.505 (1) (md) *Oil overcharge restitution funds.* All federal moneys received
21 as oil overcharge funds, as defined in s. 14.065 (1), for expenditure under proposals
22 approved by the joint committee on finance under s. 14.065 ~~and for transfers under~~
23 ~~1993 Wisconsin Act 16, section 9201(1z).~~”

1 **10. Page 504, line 15:** after that line insert:

2 “**SECTION 1115b.** 20.566 (1) (u) of the statutes is amended to read:

3 20.566 (1) (u) (title) *Motor fuel tax and oil company franchise fee*
4 *administration.* From the transportation fund, the amounts in the schedule to cover
5 the costs, including data processing costs, incurred in administering the motor fuel
6 tax law, except s. 341.45, and the oil company franchise fee law.”

7 **11. Page 517, line 1:** delete lines 1 to 14 and substitute:

8 “**SECTION 1165avb.** 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 1165axb.** 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 **12. Page 557, line 15:** after that line insert:

23 “**SECTION 1401mb.** 25.29 (1) (c) of the statutes is amended to read:

1 25.29 (1) (c) ~~For fiscal year 1992-93, and for each fiscal year thereafter, an An~~
2 amount equal to the estimated motorboat gas tax payment multiplied by 1.4. The
3 estimated motorboat gas tax payment is calculated by multiplying the number of
4 motorboats registered under s. 30.52 on January 1 of the previous fiscal year by 50
5 gallons and multiplying that product by the total of the excise tax imposed under s.
6 78.01 (1) and the oil company franchise fee under ch. 140 calculated on a
7 cents-per-gallon basis by the department of revenue under s. 341.45 (5r) that are
8 imposed on April 1 of the previous fiscal year.

9 **SECTION 1401md.** 25.29 (1) (d) 1. of the statutes is amended to read:

10 25.29 (1) (d) 1. An amount calculated by multiplying the number of
11 snowmobiles registered under s. 350.12 on the last day of February of the previous
12 fiscal year by 50 gallons and multiplying that product by the total of the excise tax
13 imposed under s. 78.01 (1) and the oil company franchise fee under ch. 140 calculated
14 on a cents-per-gallon basis by the department of revenue under s. 341.45 (5r) that
15 are imposed on the last day of February of the previous fiscal year.

16 **SECTION 1401mf.** 25.29 (1) (dm) of the statutes is amended to read:

17 25.29 (1) (dm) ~~For fiscal year 1991-92 and for each fiscal year thereafter, an~~
18 An amount equal to the estimated all-terrain vehicle gas tax payment. The
19 estimated all-terrain vehicle gas tax payment is calculated by multiplying the sum
20 of the number of all-terrain vehicles registered for public use under s. 23.33 (2) (c)
21 and the number of reflectorized plates issued under s. 23.33 (2) (dm) on the last day
22 of February of the previous fiscal year by 25 gallons and multiplying that product by
23 the total of the excise tax imposed under s. 78.01 (1) and the oil company franchise
24 fee under ch. 140 calculated on a cents-per-gallon basis by the department of

1 revenue under s. 341.45 (5r) that are imposed on the last day of February of the
2 previous fiscal year.”.

3 **13.** Page 559, line 8: after that line insert:

4 “SECTION 407m. 25.40 (1) (a) 3. of the statutes is amended to read:

5 25.40 (1) (a) 3. Revenues collected under s. 341.25 or ch. 140 that are pledged
6 to the fund created under s. 84.59 (2).”.

7 **14.** Page 559, line 10: delete lines 10 to 12 and substitute:

8 “SECTION 1408rb. 25.40 (1) (a) 12. of the statutes is created to read:

9 25.40 (1) (a) 12. Fees collected under s. 341.45 (1g) (a) that are required under
10 s. 341.45 (4m) to be deposited in the petroleum inspection fund.”.

11 **15.** Page 559, line 19: delete lines 19 and 20 and substitute:

12 “SECTION 1412db. 25.40 (2) (b) 15g. of the statutes is created to read:

13 25.40 (2) (b) 15g. Section 20.445 (1) (uy).”.

14 **16.** Page 575, line 12: delete lines 12 to 14.

15 **17.** Page 578, line 19: delete lines 19 to 21.

16 **18.** Page 582, line 19: delete the material beginning with that line and ending
with page 587, line 25.

17 **19.** Page 603, line 16: delete the material beginning with that line and ending
with page 604, line 5.

18 **20.** Page 609, line 13: delete lines 13 to 22.

19 **21.** Page 1113, line 13: delete lines 13 to 19 and substitute:

20 “SECTION 3362mb.. 70.337 (7) of the statutes is amended to read:

1 70.337 (7) This section does not apply to property that is exempt under s. 70.11
2 (13), (13m), (15), (15m), (21) or (30), property that is exempt under s. 70.11 (18) if a
3 payment in lieu of taxes is made for that property, lake beds owned by the state, state
4 forests under s. 28.03 or 28.035, county forests under s. 28.10, property acquired by
5 the department of transportation under s. 85.08 (2) (L) or 85.09 or highways, as
6 defined in s. 340.01 (22).”.

7 **22.** Page 1130, line 1: delete lines 1 to 9.

8 **23.** Page 1179, line 15: after that line insert:

9 “**SECTION 3433mb.** 73.01 (4) (a) of the statutes is amended to read:

10 73.01 (4) (a) Subject to the provisions for judicial review contained in s. 73.015,
11 the commission shall be the final authority for the hearing and determination of all
12 questions of law and fact arising under sub. (5) and s. 72.86 (4), 1985 stats., and ss.
13 70.11 (21), 70.38 (4) (a), 70.397, 70.64, 70.995 (8), 76.38 (12) (a), 76.39 (4) (c), 76.48
14 (6), 77.26 (3), 77.59 (6) (b), 78.01, 78.22, 78.40, 78.555, 139.02, 139.03, 139.06, 139.31,
15 139.315, 139.33, 139.76 and 139.78, subch. XIV of ch. 71 ~~and~~, subch. VII of ch. 77 and
16 ch. 140. Whenever with respect to a pending appeal there is filed with the
17 commission a stipulation signed by the department of revenue and the adverse party,
18 under s. 73.03 (25), agreeing to an affirmance, modification or reversal of the
19 department’s position with respect to some or all of the issues raised in the appeal,
20 the commission shall enter an order affirming or modifying in whole or in part, or
21 canceling the assessment appealed from, or allowing in whole or in part or denying
22 the petitioner’s refund claim, as the case may be, pursuant to and in accordance with
23 the stipulation filed. No responsibility shall devolve upon the commission,

1 respecting the signing of an order of dismissal as to any pending appeal settled by
2 the department without the approval of the commission.”.

3 **24. Page 1181, line 15:** delete lines 15 to 18 and substitute:

4 “**SECTION 3437mb.** 73.03 (29m) of the statutes is created to read:

5 73.03 (29m) To provide on an appropriate tax form, as determined by the
6 secretary of revenue, a place for taxpayers to certify that they had at least \$6,000 in
7 gross farm profits, as defined in s. 71.58 (4), for the applicable taxable year.”.

8 **25. Page 1201, line 8:** delete the material beginning with that line and ending
with page 1203, line 14, and substitute:

9 “**SECTION 3496bb.** 78.005 (13g) of the statutes is created to read:

10 78.005 (13g) “Recreational motorboat” means a motorboat used predominately
11 for entertainment, amusement or recreation, whether or not it is used in a trade or
12 business.

13 **SECTION 3496gb.** 78.01 (2) (e) of the statutes is amended to read:

14 78.01 (2) (e) Gasoline sold for nonhighway use other than use in a snowmobile,
15 an all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or
16 a recreational motorboat or in mobile machinery and equipment and delivered
17 directly into the consumer’s storage tank in an amount of not less than 100 gallons.

18 **SECTION 3496jb.** 78.01 (2m) (f) of the statutes is amended to read:

19 78.01 (2m) (f) It is sold for off-highway use other than use in a snowmobile, an
20 all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or a
21 recreational motorboat if no claim for a refund for the tax on the diesel fuel may be
22 made under s. 78.75 (1m) (a) 3.”.

1 **26.** Page 1204, line 7: delete the material beginning with that line and ending
with page 1206, line 4, and substitute:

2 “**SECTION 3500cdb.** 78.12 (2) (intro.) of the statutes is amended to read:

3 78.12 (2) **REPORTS OF LICENSEES.** (intro.) Each licensee shall, not later than the
4 last 20th day of each month, file with the department, or, if the department so
5 requires, file electronically with any state agency that the department specifies, on
6 forms prescribed and furnished by the department, a report that indicates for the
7 month before the month during which the report is due the following:

8 **SECTION 3500cmb.** 78.12 (5) (a) of the statutes is amended to read:

9 78.12 (5) (a) Licensed suppliers shall pay taxes on motor vehicle fuel no later
10 than the ~~15th~~ 20th day of the month for motor vehicle fuel sold during the previous
11 month. At the option of a wholesaler distributor, a licensed supplier shall allow the
12 wholesaler distributor to delay paying the tax to the licensed supplier until the date
13 that the tax is due to this state. A wholesaler distributor who makes delayed
14 payments shall make the payments by electronic funds transfer. If a wholesaler
15 distributor fails to make timely payments, the licensed supplier may terminate the
16 right of the wholesaler distributor to make delayed payments. Each licensed
17 supplier shall notify the department of each wholesaler distributor who makes
18 delayed payments of the tax. The department may require any wholesaler
19 distributor who makes delayed payments of the tax to file with the department a
20 surety bond payable to this state in an amount not to exceed 3 times the highest
21 estimated monthly tax owed by the wholesaler distributor. Whenever the wholesaler
22 distributor pays the licensed supplier, the licensed supplier shall credit the

1 wholesaler distributor's account for the amount of tax reduction that results from the
2 calculation under s. 78.12 (4) (a) 2.

3 **SECTION 3500cpb.** 78.40 (1) of the statutes is amended to read:

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

17 **27.** Page 1206, line 9: delete the material beginning with that line and ending
with page 1207, line 3, and substitute:

18 **“SECTION 3500egb.** 78.49 (1) (a) of the statutes is amended to read:

19 78.49 (1) (a) For the purpose of determining the amount of liability to the state
20 for the tax under this subchapter, except as provided in par. (b), each alternate fuels
21 licensee shall, not later than the last 20th day of each month, file a monthly report
22 for the next preceding month with the department on forms furnished and prescribed
23 by it. Such report shall contain a declaration by the licensee that the statements

1 contained therein are accurate and are a true return of the amount of the alternate
2 fuels tax due and shall be subscribed by the licensee or the licensee's duly authorized
3 agent. The report shall show, with reference to each location at which an alternate
4 fuel is delivered or placed by such licensee into a fuel supply tank of any motor
5 vehicle, the information that the department reasonably requires for the proper
6 administration and enforcement of the tax under this subchapter. The department
7 shall give due consideration to the varying types of operations and transactions in
8 specifying the information required.

9 **SECTION 3500emb.** 78.49 (1) (b) of the statutes is amended to read:

10 78.49 (1) (b) The department may allow alternate fuels licensees whose tax
11 liability is less than \$500 per quarter to file on a quarterly basis. Quarterly reports
12 shall be mailed on or before the last 20th day of the next month following the end of
13 each calendar quarter. The report shall contain the declaration, subscription and
14 information specified in par. (a).”.

15 **28.** Page 1207, line 8: delete the material beginning with that line and ending
with page 1208, line 3, and substitute:

16 **“SECTION 3503gb.** 78.75 (1m) (a) 2. of the statutes is amended to read:

17 78.75 (1m) (a) 2. A person who uses motor vehicle fuel or an alternate fuel upon
18 which has been paid the tax required under this chapter for the purpose of operating
19 a snowmobile, as defined under s. 340.01 (58a), an aircraft, as defined under s. 78.55
20 (2), or a motorboat, as defined under s. 30.50 (6), unless the motorboat is exempt from
21 registration as a motor vehicle under s. 341.05 (20) not a recreational motorboat, may
22 not be reimbursed or repaid the amount of tax paid.

23 **SECTION 3503jb.** 78.75 (1m) (a) 3. of the statutes is amended to read:

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

15 **29.** [Page 1215, line 10](#): delete the material beginning with that line and
ending with page 1216, line 10, and substitute:

16 “**SECTION 3516gb.** 84.01 (30) of the statutes is created to read:

17 84.01 (30) ENVIRONMENTAL CLEAN-UP ACTIVITIES. From the appropriation under
18 s. 20.395 (3) (aq), the department may fund environmental clean-up activities on
19 lands acquired by the department that are not eligible to receive funding for such
20 activities as part of a highway improvement project. Nothing in this subsection
21 relieves a person from any responsibility to reimburse the department for any costs
22 incurred by the department under this subsection.

23 **SECTION 3516mb.** 84.013 (2) (c) of the statutes is created to read:

1 84.013 (2) (c) The department shall give priority to the completion of the major
2 highway project authorized in sub. (3) (vL) in programming the expenditure of funds
3 for major highway projects.

4 **SECTION 3516rb.** 84.013 (3) (kb) to (km) of the statutes are created to read:

5 84.013 (3) (kb) USH 151 extending approximately 18.2 miles between USH 151
6 west of Belmont and STH 23 south of Dodgeville, designated as the Belmont to
7 Dodgeville project, in Lafayette and Iowa counties.

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

12 (km) USH 53 extending approximately 7.5 miles between USH 53 south of the
13 USH 53/STH 93 interchange in Eau Claire and the USH 53/STH 124 interchange
14 south of Chippewa Falls, designated as the Eau Claire freeway, in Eau Claire and
15 Chippewa counties.

16 **SECTION 3517cb.** 84.013 (3) (ye) of the statutes is amended to read:

17 84.013 (3) (ye) USH 10 between Appleton and Marshfield, in Winnebago,
18 Outagamie, Waupaca, Portage and Wood counties.”.

19 **30.** Page 1219, line 7: delete lines 7 to 9 and substitute:

20 “**SECTION 3519jcb.** 84.076 (5) of the statutes is amended to read:

21 84.076 (5) SUNSET. This section does not apply after ~~June 30, 1995~~ September
22 30, 1997.”.

23 **31.** Page 1222, line 1: delete lines 1 to 15 and substitute:

24 “**SECTION 3523gb.** 84.59 (6) of the statutes is amended to read:

1 84.59 (6) Revenue obligations may be contracted by the building commission
2 when it reasonably appears to the building commission that all obligations incurred
3 under this section can be fully paid from moneys received or anticipated and pledged
4 to be received on a timely basis. Revenue obligations issued under this section shall
5 not exceed ~~\$950,834,000~~ \$1,089,701,500 in principal amount, excluding obligations
6 issued to refund outstanding revenue obligations. Not more than ~~\$841,634,000~~
7 \$1,046,821,300 of the ~~\$950,834,000~~ \$1,089,701,500 may be used for transportation
8 facilities under s. 84.01 (28) and major highway projects under ss. 84.06 and 84.09.”.

9 **32.** Page 1222, line 22: delete the material beginning with that line and
ending with page 1224, line 25, and substitute:

10 “**SECTION 3524peb.** 85.022 (1) (m) of the statutes is repealed.

11 **SECTION 3524pgb.** 85.022 (2) of the statutes is created to read:

12 85.022 (2) (a) The department shall allocate \$250,000 in each fiscal year of the
13 1995–97 biennium from the appropriation under s. 20.395 (2) (hq) for a study of
14 high–speed rail service in the southern transportation corridor between this state
15 and the state of Minnesota.

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

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

21 **SECTION 3524pjb.** 85.026 of the statutes is created to read:

1 **85.026 Urban rail transit system studies.** Notwithstanding any other
2 provision of this chapter, the department may not encumber any moneys for the
3 study of an urban rail transit system, including any light rail transit system.

4 **SECTION 3524pmb.** 85.061 (3) of the statutes is amended to read:

5 85.061 (3) PROGRAM. The department shall administer a rail passenger route
6 development program. From the appropriation under s. 20.866 (2) (up), the
7 department may fund capital costs related to Amtrak service extension routes or
8 other rail service routes between the cities of Milwaukee and Madison and between
9 the cities of Milwaukee and Green Bay. ~~The extension of the~~ Any route between the
10 cities of Milwaukee and Green Bay funded under the program shall provide service
11 to population centers along the route in a manner that makes the route most
12 economically feasible. The department may not use any proceeds from the bond issue
13 authorized under s. 20.866 (2) (up) ~~for the extension of~~ a route under this subsection
14 unless the department submits evidence to the joint committee on finance that
15 Amtrak or the applicable railroad has agreed to provide rail passenger service on
16 that ~~extension~~ route and the joint committee on finance approves the use of the
17 proceeds. The department may contract with Amtrak, railroads or other persons to
18 perform the activities under this subsection.

19 **SECTION 3524prb.** 85.08 (4m) (e) 1. of the statutes is amended to read:

20 85.08 (4m) (e) 1. Upon the request of an eligible applicant, the department may
21 negotiate and enter into a loan agreement with the eligible applicant for purposes
22 of rehabilitating a rail line or to finance an economic development and transportation
23 efficiency project, including a project designed to promote safety or the viability of
24 a statewide system of freight rail service, to assist intermodal freight movement or
25 to provide industry access to a rail line. A loan made under this paragraph shall

1 finance a project that confers a public benefit or enhances economic development in
2 this state. Loans made under this paragraph shall be paid from the appropriation
3 under s. 20.395 (2) ~~(bt)~~, (bu), (bw) or (bx).

4 **SECTION 3524ptb.** 85.085 (1) of the statutes is renumbered 85.085 (1m).

5 **SECTION 3524pvb.** 85.085 (1b) of the statutes is created to read:

6 85.085 (1b) In this section, “rehabilitated” means a significant rebuilding of
7 railroad track that restores severely deteriorated track to a minimum service
8 standard or, for track that is at or above a minimum service standard, that increases
9 the service standard of the track.

10 **SECTION 3524pxb.** 85.085 (3) of the statutes is amended to read:

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

17 **33.** Page 1225, line 7: delete the material beginning with that line and ending
with page 1232, line 9, and substitute:

18 **“SECTION 3526ftb.** 85.20 (4m) (a) of the statutes is renumbered 85.20 (4m) (a)
19 (intro.) and amended to read:

20 85.20 (4m) (a) (intro.) ~~From the amounts appropriated under s. 20.395 (1) (bq),~~
21 ~~an amount equal to 42% of the projected operating expenses of each eligible~~
22 ~~applicant’s urban mass transit system~~ An amount shall be allocated to each eligible
23 applicant. to ensure that the sum of state and federal aids for the projected operating

1 expenses of each eligible applicant's urban mass transit system is equal to a uniform
2 percentage, established by the department, of the projected operating expenses of
3 the mass transit system. The department shall make allocations as follows:

4 **SECTION 3526fwb.** 85.20 (4m) (a) 1. to 3. of the statutes are created to read:

5 85.20 (4m) (a) 1. From the appropriation under s. 20.395 (1) (bq), the uniform
6 percentage for an urban mass transit system operating within an urban area having
7 a population as shown in the 1990 federal decennial census of less than 50,000.

8 2. From the appropriation under s. 20.395 (1) (bs), the uniform percentage for
9 an urban mass transit system operating within an urban area having a population
10 as shown in the 1990 federal decennial census of at least 50,000 but not more than
11 200,000 and meeting the federal definition of urbanized area for the purpose of
12 federal mass transit aid.

13 3. From the appropriation under s. 20.395 (1) (bu), the uniform percentage for
14 an urban mass transit system operating within an urban area having a population
15 as shown in the 1990 federal decennial census of more than 200,000 and meeting the
16 federal definition of urbanized area for the purpose of federal mass transit aid.

17 **SECTION 3526gem.** 85.20 (4m) (am) of the statutes is repealed.

18 **SECTION 3526ggm.** 85.20 (4m) (e) of the statutes is repealed.

19 **SECTION 3526gmb.** 85.20 (4m) (em) 1. of the statutes is amended to read:

20 85.20 (4m) (em) 1. An amount equal to ~~42%~~ the same percentage of the audited
21 operating expenses for the project year of the applicant's urban mass transit system
22 that is specified for allocations to the applicant under par. (a) 1. to 3.

23 **SECTION 3526gtb.** 85.20 (4s) of the statutes is amended to read:

24 85.20 (4s) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed
25 between the department and eligible applicants under this section shall provide that

1 the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the
2 state's fiscal year shall be provided from the following fiscal year's appropriation
3 under s. 20.395 (1) (bq), (bs) or (bu).

4 **SECTION 3526heb.** 85.20 (7) of the statutes is created to read:

5 85.20 (7) COST-EFFICIENCY STANDARDS. (a) The department shall establish
6 cost-efficiency standards for the urban mass transit system specified in sub. (4m) (a)
7 1. to 3. The contracts executed between the department and eligible applicants
8 under this section for any period beginning on or after January 1, 1997, shall provide
9 that the department may do any of the following if costs are incurred by the eligible
10 applicant's urban mass transit system which are inconsistent with the standards
11 established under this subsection:

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

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

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

16 **SECTION 3526hgb.** 85.24 (3) (d) (intro.) of the statutes is amended to read:

17 85.24 (3) (d) (intro.) The department may award grants from the appropriation
18 under s. 20.395 (1) ~~(bs)~~ (ds) to public and private organizations for the development
19 and implementation of demand management and ride-sharing programs. As a
20 condition of obtaining a grant under this paragraph, a public or private organization
21 may be required to provide matching funds at any percentage. The department shall
22 give priority in the awarding of grants to those programs that provide the greatest
23 reduction in automobile trips, especially during peak hours of traffic congestion. The
24 department shall have all powers necessary and convenient to implement this
25 paragraph, including the following powers:

1 **SECTION 3526hjb.** 85.243 (title) of the statutes is amended to read:

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

4 **SECTION 3526hmb.** 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 3526hrb.** 85.243 (2) (b) 5. of the statutes is created to read:

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

18 **SECTION 3526mb.** 85.26 of the statutes, as affected by 1995 Wisconsin Act ...
19 (this act), is renumbered 106.26.

20 **SECTION 3526mgb.** 85.26 (2) (a) of the statutes is renumbered 85.26 (2) (a)
21 (intro.) and amended to read:

22 85.26 (2) (a) (intro.) "Eligible applicant" means a an applicant that provides
23 employment, training or job placement services in a county with a population of
24 500,000 or more and which is one of the following:

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

1 **SECTION 3526mmb.** 85.26 (2) (a) 2. of the statutes is created to read:

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

3 **SECTION 3526sb.** 85.50 of the statutes is repealed.

4 **SECTION 3527cb.** 86.30 (2) (a) 3. c. of the statutes is repealed.

5 **SECTION 3527eb.** 86.30 (2) (a) 3. d. of the statutes is amended to read:

6 86.30 (2) (a) 3. d. In calendar year 1995 and thereafter, \$1,350.

7 **SECTION 3527gb.** 86.30 (2) (a) 3. e. of the statutes is created to read:

8 86.30 (2) (a) 3. e. In calendar year 1996, \$1,415.

9 **SECTION 3527ib.** 86.30 (2) (a) 3. f. of the statutes is created to read:

10 86.30 (2) (a) 3. f. In calendar year 1997 and thereafter, \$1,480.

11 **SECTION 3527kb.** 86.30 (9) of the statutes is amended to read:

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

18 (c) For the purpose of calculating and distributing aids under sub. (2), the
19 amounts for aids to municipalities are ~~\$197,814,700 in calendar year 1994 and~~
20 ~~\$209,496,900 in calendar year 1995, \$216,989,200 in calendar year 1996 and~~
21 ~~\$224,657,100 in calendar year 1997~~ and thereafter. These amounts, to the extent
22 practicable, shall be used to determine the statewide municipal average
23 cost-sharing percentage in the particular calendar year.

24 **SECTION 3527mb.** 86.31 (3m) of the statutes is amended to read:

1 86.31 **(3m)** TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395
2 (2) (fr), the department shall allocate ~~\$500,000 in each fiscal year~~ \$515,000 in fiscal
3 year 1995-96 and \$530,500 in fiscal year 1996-97 and thereafter to fund town road
4 improvements with eligible costs totaling \$100,000 or more. The funding of
5 improvements under this subsection is in addition to the allocation of funds for
6 entitlements under sub. (3).

7 **SECTION 3527pb.** 86.315 (1) of the statutes is amended to read:

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

18 **SECTION 3527rb.** 86.32 (2) (am) 5. and 6. of the statutes are repealed.

19 **SECTION 3527tb.** 86.32 (2) (am) 8. of the statutes is created to read:

20 86.32 **(2)** (am) 8. For 1996, \$10,782 per lane mile for municipalities having a
21 population over 500,000; \$9,987 per lane mile for municipalities having a population
22 of 150,001 to 500,000; \$8,900 per lane mile for municipalities having a population of
23 35,001 to 150,000; \$7,840 per lane mile for municipalities having a population of
24 10,000 to 35,000; and \$6,755 per lane mile for municipalities having a population
25 under 10,000.

1 **SECTION 3527wb.** 86.32 (2) (am) 9. of the statutes is created to read:

2 86.32 (2) (am) 9. For 1997, \$11,105 per lane mile for municipalities having a
3 population over 500,000; \$10,287 per lane mile for municipalities having a
4 population of 150,001 to 500,000; \$9,167 per lane mile for municipalities having a
5 population of 35,001 to 150,000; \$8,075 per lane mile for municipalities having a
6 population of 10,000 to 35,000; and \$6,958 per lane mile for municipalities having
7 a population under 10,000.”

8 **34.** Page 1225, line 7: delete the material inserted by senate amendment ...
(LRBb1649/2).

9 **35.** Page 1318, line 16: delete lines 16 to 18 and substitute:

10 “**SECTION 3782amb.** 110.08 (2) of the statutes is amended to read:

11 110.08 (2) Except as provided under s. 343.16 (1) (b) and (c), all examinations
12 for operator’s licenses and permits shall be given by state examiners.”

13 **36.** Page 1379, line 21: delete the material beginning with that line and
ending with page 1384, line 14, and substitute:

14 “**SECTION 3844mcb.** 114.002 (4) of the statutes is repealed.

15 **SECTION 3844mcb.** 114.002 (11) of the statutes is amended to read:

16 114.002 (11) “Antique aircraft” means an aircraft ~~more than 35 years old as~~
17 ~~determined by the~~ which has a date of manufacture of 1944 or earlier and which is
18 used solely for recreational or display purposes.

19 **SECTION 3844mgb.** 114.002 (13) of the statutes is repealed.

20 **SECTION 3844mjb.** 114.20 (1) (title) of the statutes is amended to read:

21 114.20 (1) (title) ANNUAL REGISTRATION REQUIRED.

22 **SECTION 3844mmb.** 114.20 (1) (a) of the statutes is amended to read:

1 114.20 (1) (a) Except as provided under sub. (2), all aircraft based in this state
2 shall be registered by the owner of the aircraft with the department annually on or
3 before November 1 or, for aircraft with a maximum gross weight of not more than
4 3,000 pounds that are not subject to sub. (10), biennially on or before the first
5 November 1. Annual registration fees shall be determined in accordance with sub.
6 (9) or (10). Biennial registration fees shall be determined in accordance with sub.
7 (9m).

8 **SECTION 3844mpb.** 114.20 (1) (b) of the statutes is amended to read:

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

13 **SECTION 3844mrb.** 114.20 (2) (intro.) of the statutes is amended to read:

14 114.20 (2) (title) EXCEPTIONS TO ANNUAL REGISTRATION REQUIREMENTS. (intro.)
15 The annual registration requirements under sub. (1) do not apply to aircraft based
16 in this state that are:

17 **SECTION 3844mtb.** 114.20 (2) (c) of the statutes is repealed.

18 **SECTION 3844mwb.** 114.20 (5) of the statutes is amended to read:

19 114.20 (5) UNAIRWORTHY AIRCRAFT. Any person desiring to have an aircraft
20 designated as an unairworthy aircraft may apply to the department in the manner
21 the department prescribes. No application may be acted upon unless all information
22 requested is supplied. Upon receipt of an application and a registration fee of \$5 to
23 be established by rule and after determining from the facts submitted and
24 investigation that the aircraft qualifies as an unairworthy aircraft, the department
25 shall issue an unairworthy aircraft certificate. The certificate shall expire upon

1 transfer of ownership or restoration. An aircraft is presumed restored if it is capable
 2 of operation. The annual registration fee is due on the date of restoration. Operation
 3 of the aircraft is conclusive evidence of restoration. ~~An additional administrative fee~~
 4 ~~of \$5~~ A late payment charge to be established by rule shall be charged assessed on
 5 all applications filed later than 30 days after the date of restoration.

6 **SECTION 3844mx.** 114.20 (5) of the statutes, as affected by 1995 Wisconsin Act
 7 (this act), is repealed and recreated to read:

8 114.20 (5) UNAIRWORTHY AIRCRAFT. Any person desiring to have an aircraft
 9 designated as an unairworthy aircraft may apply to the department in the manner
 10 the department prescribes. No application may be acted upon unless all information
 11 requested is supplied. Upon receipt of an application and a registration fee to be
 12 established by rule and after determining from the facts submitted and investigation
 13 that the aircraft qualifies as an unairworthy aircraft, the department shall issue an
 14 unairworthy aircraft certificate. The certificate shall expire upon transfer of
 15 ownership or restoration. An aircraft is presumed restored if it is capable of
 16 operation. The annual or biennial registration fee is due on the date of restoration.
 17 Operation of the aircraft is conclusive evidence of restoration. A late payment charge
 18 to be established by rule shall be assessed on all applications filed later than 30 days
 19 after the date of restoration.

20 **SECTION 3844pcb.** 114.20 (7) of the statutes is repealed.

21 **SECTION 3844peb.** 114.20 (9) (a) to (c) of the statutes are renumbered 114.20
 22 (9m) (a) to (c) and amended to read:

23	114.20 (9m) (a) Not more than	2,000	\$ 30 <u>\$ 60</u>
24	(b) Not more than	2,500	39 <u>78</u>
25	(c) Not more than	3,000	50 <u>100</u>

1 **SECTION 3844pgb.** 114.20 (9) (d) of the statutes is amended to read:

2 114.20 (9) (d) Not more than 3,500 ~~70~~ \$ 70

3 **SECTION 3844pjb.** 114.20 (9m) (intro.) of the statutes is created to read:

4 114.20 (9m) BIENNIAL REGISTRATION FEES. (intro.) Except as provided in sub.
5 (10), the owner of an aircraft subject to the biennial registration requirements under
6 sub. (1) shall pay a biennial registration fee established in accordance with the
7 following gross weight schedule:

8 [Maximum gross	[Annual
9 Weight in pounds]	fee]

10 **SECTION 3844pmb.** 114.20 (12) of the statutes is amended to read:

11 114.20 (12) (title) INITIAL ANNUAL REGISTRATION. For new aircraft, aircraft not
12 previously registered in this state or unregistered aircraft for which annual
13 registration is required under sub. (9), the fee for the initial year of registration shall
14 be computed from the date of purchase, restoration, completed construction or entry
15 of the aircraft into this state on the basis of one-twelfth of the registration fee
16 specified in sub. (9) multiplied by the remaining number of months in the current
17 registration year which are not fully expired. For new aircraft, aircraft not
18 previously registered in this state or unregistered aircraft for which biennial
19 registration is required under sub. (9m), the fee for the initial 2-year period of
20 registration shall be computed from the date of purchase, restoration, completed
21 construction or entry of the aircraft into this state on the basis of one twenty-fourth
22 of the registration fee specified in sub. (9m) multiplied by the remaining number of
23 months in the current 2-year registration period which are not fully expired.
24 Application for registration shall be filed within 30 days from the date of purchase,
25 restoration, completed construction or entry of the aircraft into this state and if filed

1 after that date an additional administrative fee of \$5 shall be charged. If the date
2 of purchase, restoration, completed construction or entry into this state is not
3 provided by the applicant, the full annual or biennial registration fee provided in sub.
4 (9) or (9m) shall be charged for registering the aircraft.

5 **SECTION 3844ppb.** 114.20 (13) (b) 1. of the statutes is amended to read:

6 114.20 (13) (b) 1. If an annual registration fee is not paid by November 1, from
7 November 2 to April 30, the department shall add a late payment charge of \$50 or
8 10% of the amount specified for the registration under sub. (9) or (10), whichever is
9 greater, to the fee.

10 **SECTION 3844prb.** 114.20 (13) (b) 1. of the statutes, as affected by 1995
11 Wisconsin Act (this act), is repealed and recreated to read:

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

16 **SECTION 3844psb.** 114.20 (13) (b) 2. of the statutes is amended to read:

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

21 **SECTION 3844ptb.** 114.20 (13) (b) 2. of the statutes, as affected by 1995
22 Wisconsin Act (this act), is repealed and recreated to read:

23 114.20 (13) (b) 2. If an annual or biennial registration fee is not paid by the
24 following April 30, from May 1 to October 31 or, for a biennial registration, the end
25 of the biennial period, the department shall add a late payment charge of \$50 or 20%

1 of the amount specified for the registration under sub. (9), (9m) or (10), whichever
2 is greater, to the fee.

3 **SECTION 3844pvb.** 114.20 (13) (b) 3. of the statutes is repealed.

4 **SECTION 3844pwb.** 114.20 (13) (b) 5. of the statutes is amended to read:

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

6 **SECTION 3844pyb.** 114.20 (15) (b) of the statutes is amended to read:

7 114.20 (15) (b) The lien against the aircraft for the original registration fee
8 shall attach at the time the fee is first payable, and the lien for all renewals of annual
9 registration shall attach on November 1 of each year thereafter and the lien for all
10 renewals of biennial registration shall attach on the first November of the
11 registration period and every 2 years thereafter.”

12 **37.** Page 1451, line 19: delete lines 19 to 22 and substitute:

13 “**SECTION 4080rb.** 121.555 (2) (c) 1. of the statutes is amended to read:

14 121.555 (2) (c) 1. Shall possess a valid Wisconsin operator’s license or a valid
15 operator’s license issued by another jurisdiction, as defined in s. 340.01 (41m), or a
16 valid commercial driver license issued by Mexico.”

17 **38.** Page 1489, line 11: after that line insert:

18 “**SECTION 4159rb.** Chapter 140 of the statutes is created to read:

19 **CHAPTER 140**

20 **OIL COMPANY FRANCHISE FEE**

21 **140.01 Definitions.** In this chapter:

22 (1) “Average weighted retail price” means the following:

23 (a) For motor vehicle fuel received from October 1, 1995, to March 31, 1997,

24 \$1.10 per gallon.

1 (b) For motor vehicle fuel received on April 1, 1997, and thereafter, the average
2 weighted price per gallon, for motor vehicle fuel, sold at retail in this state, as
3 determined by a method promulgated by the department by rule, except that the
4 average weighted price may be no lower than \$1.10 as indexed and the average
5 weighted price may be no more than \$1.30 as indexed.

6 (2) "Consumer price index" means the consumer price index for all urban
7 consumers, U.S. city average, as determined by the U.S. department of labor.

8 (3) "Diesel fuel" has the meaning given in s. 78.005 (5).

9 (4) "Department" means the department of revenue.

10 (5) "Export" has the meaning given in s. 78.005 (6).

11 (6) "Gasoline" has the meaning given in s. 78.005 (7).

12 (7) "Indexed" means adjusted as of April 1 to reflect the percentage change in
13 the annual average consumer price index during the previous year.

14 (8) "Motor vehicle fuel" means gasoline or diesel fuel.

15 (9) "Received" means received under s. 78.07.

16 (10) "Supplier" has the meaning given under s. 78.005 (14).

17 **140.02 Imposition.** (1) Except as provided in sub. (2), there is imposed a fee
18 at the rate of 3.2% of the average weighted retail price on all motor vehicle fuel
19 received by a supplier for sale in this state, for sale for shipment to this state or for
20 shipment to this state.

21 (2) The fee imposed in sub. (1) does not apply to the following:

22 (a) Motor vehicle fuel that is shipped from storage at a refinery, marine
23 terminal, pipeline terminal, pipeline tank farm or place of manufacture to a person
24 for storage at another refinery, marine terminal, pipeline terminal, pipeline tank
25 farm or place of manufacture.

1 (b) Motor vehicle fuel that is exported by a person who is licensed under s. 78.09
2 or 140.03 (5).

3 (c) Diesel fuel that is dyed under s. 78.01 (2p).

4 **140.03 Administration. (1)** The department shall administer the fee under
5 this chapter.

6 (2) Sections 78.65 to 78.74 and 78.79 to 78.81 as they apply to the taxes under
7 ch. 78 apply to the fee under this chapter.

8 (3) Persons who are liable for the fee under this chapter shall state the number
9 of gallons of motor vehicle fuel on which the fee is due and the amount of their liability
10 for the fee in the reports under s. 78.12 (1) to (3).

11 (4) The requirements for payment of the motor vehicle fuel tax under s. 78.12
12 (5) apply to the fee under this chapter.

13 (5) No person may ship petroleum products into this state unless that person
14 either has a license under s. 78.09 or obtains an oil company franchise license from
15 the department by filing with the department an application prescribed and
16 furnished by the department and verified by the owner of the business if the owner
17 is an individual, by a member if the owner is an unincorporated association, by a
18 partner if the owner is a partnership or by the president and secretary if the owner
19 is a corporation.

20 (6) (a) To protect the revenues of this state, the department may require any
21 person who is liable to the department for the fee under this chapter to place with
22 it security in the amount that the department determines. The department may
23 increase or decrease the amount of the security, but that amount may not exceed 3
24 times the person's average monthly liability for the fee under this chapter as
25 estimated by the department. If any person fails to provide that security, the

1 department may refuse to issue a license under sub. (5) or s. 78.09 or may revoke the
2 person's license under sub. (5) or s. 78.09. If any taxpayer is delinquent in the
3 payment of the fee under this chapter, the department may, upon 10 days' notice,
4 recover the fee, interest, penalties, costs and disbursements from the person's
5 security. The department may not pay interest on any security deposit.

6 (b) The security required under par. (a) may be a surety bond furnished to the
7 department and payable to this state. The department shall prescribe the form and
8 contents of the bond.

9 (c) The surety of a bond under par. (b) may conditionally cancel the bond by
10 filing written notice with the person who is liable for the fee under this chapter and
11 with the department. A surety who files that notice is not discharged from any
12 liability that has accrued or from any liability that accrues within 60 days after the
13 filing. If the person who is liable for the fee under this chapter does not, within 60
14 days after receiving the notice, file with the department a new bond that is
15 satisfactory to the department, the department shall revoke the person's license
16 under sub. (5) or s. 78.09. If the person furnishes a new bond, the department shall
17 cancel and surrender the old bond when it is satisfied that all liability under the old
18 bond has been discharged.

19 (d) If the liability on the bond is discharged or reduced or if the department
20 determines that the bond is insufficient, the department shall require additional
21 surety or new bonds. If any person who is liable for the fee under this chapter fails
22 to file that additional bond within 5 days after the department provides written
23 notice, that person's license under sub. (5) or s. 78.09 is revoked.

1 (7) On April 1, 1996, and each April 1 thereafter, the department shall calculate
2 the oil company franchise fee on a cents-per-gallon basis. That calculation shall
3 reflect any change in the rate for that fee that occurs on that date.”.

4 **39.** Page 1512, line 21: delete the material beginning with that line and
ending with page 1514, line 13, and substitute:

5 “**SECTION 4303cm.** 144.266 (2) of the statutes is amended to read:

6 144.266 (2) STATE STORM WATER MANAGEMENT PLAN. The department, in
7 consultation with the department of ~~industry, labor and human relations~~
8 development, shall promulgate by rule a state storm water management plan. This
9 state plan is applicable to activities contracted for or conducted by any agency, as
10 defined under s. 227.01 (1) but also including the office of district attorney, unless
11 that agency enters into a memorandum of understanding with the department of
12 natural resources in which that agency agrees to regulate activities related to storm
13 water management. The department shall coordinate the activities of agencies, as
14 defined under s. 227.01 (1), in storm water management and make recommendations
15 to these agencies concerning activities related to storm water management.”.

16 **40.** Page 1533, line 22: delete the material beginning with that line and
ending with page 1534, line 2.

17 **41.** Page 1556, line 3: delete that line and substitute:

18 “**SECTION 4462mb.** 166.20 (7g) of the statutes is repealed.”.

19 **42.** Page 1560, line 18: delete lines 18 to 24 and substitute:

20 “**SECTION 4487mb.** 168.12 (5m) of the statutes is created to read:

21 168.12 (5m) All oil inspection fees paid to the department of transportation
22 under s. 341.45 (1g) (a) in excess of oil inspection fee credits or refunds under s.

1 341.45 (2) shall be deposited in the petroleum inspection fund. All oil inspection fees
2 credited or refunded by the department of transportation under s. 341.45 (2) in
3 excess of oil inspection fees paid to the department of transportation under s. 341.45
4 (1g) (a) shall be paid from the petroleum inspection fund.”.

5 **43.** Page 1875, line 11: delete the material beginning with that line and
ending with page 1876, line 19, and substitute:

6 “**SECTION 5847e.** 218.01 (2) (bd) 1g. of the statutes is amended to read:

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

16 **44.** Page 1882, line 4: delete lines 4 to 12.

17 **45.** Page 1884, line 1: delete lines 1 to 8.

18 **46.** Page 1890, line 1: delete the material beginning with that line and ending
with page 1892, line 14, and substitute:

19 “**SECTION 5885g.** 218.01 (3x) (b) 2. of the statutes is amended to read:

20 218.01 (3x) (b) 2. An affected grantor who does not approve of the proposed
21 action shall, within 30 days after receiving the dealer’s written notice of the proposed
22 action or within 30 days after receiving all the information specified in a written list

1 served on the dealer under subd. 1., whichever is later, file with the department of
2 transportation and serve upon the dealer a written statement of the reasons for its
3 disapproval. The reasons given for the disapproval or any explanation of those
4 reasons by the manufacturer, distributor or importer shall not subject the
5 manufacturer, distributor or importer to any civil liability unless the reasons given
6 or explanations made are malicious and published with the sole intent to cause harm
7 to the dealer or a transferee of the dealer. Failure to file and serve a statement within
8 the applicable period shall, notwithstanding the terms of any agreement, constitute
9 approval of the proposed action by the grantor. If an affected grantor files a written
10 statement within the applicable period, the dealer may not voluntarily undertake
11 the proposed action unless it receives an order permitting it to do so from the office
12 of the commissioner of transportation under par. (c) 2.

13 **SECTION 5886d.** 218.01 (3x) (b) 3. of the statutes is amended to read:

14 218.01 (3x) (b) 3. A dealer who is served with a written statement by an affected
15 grantor under subd. 2, may file with the department of transportation and the office
16 of the commissioner of transportation and serve upon the affected grantor a
17 complaint for the determination of whether there is good cause for permitting the
18 proposed action to be undertaken. The office of the commissioner of transportation
19 shall promptly schedule a hearing and decide the matter. The proposed action may
20 not be undertaken pending the determination of the matter.”.

21 **47.** Page 1895, line 20: delete the material beginning with that line and
ending with page 1896, line 22.

22 **48.** Page 2126, line 3: delete lines 3 to 14 and substitute:

23 “**SECTION 6409cb.** 340.01 (7m) of the statutes is amended to read:

1 340.01 (7m) “Commercial driver license” means a license issued to a person by
2 this state or another jurisdiction which is in accordance with the requirements of the
3 federal commercial motor vehicle safety act of 1986, 49 USC ~~2701 to 2716~~ 31301 to
4 31317, and which authorizes the licensee to operate certain commercial motor
5 vehicles.

6 **SECTION 6409gb.** 340.01 (7r) of the statutes is amended to read:

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

12 **49.** [Page 2126, line 19](#): delete the material beginning with that line and
ending with page 2131, line 9, and substitute:

13 **“SECTION 6409rb.** 341.08 (2) (am) of the statutes is created to read:

14 341.08 (2) (am) If the applicant is a natural person registering a farm truck
15 under s. 341.26 (3) (a) 1., the applicant’s social security number.

16 **SECTION 6409sb.** 341.08 (2) (cm) of the statutes is created to read:

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

22 **SECTION 6409tb.** 341.08 (4) of the statutes is amended to read:

1 341.08 (4) Applications for renewal of registration shall contain the
2 information required in sub. (2) for original applications or such parts thereof as the
3 department deems necessary to assure the proper registration of the vehicle, except
4 that all applications for renewal of registration of farm trucks under s. 341.26 (3) (a)
5 1. shall contain the information specified in sub. (2) (am) and (cm). The department
6 may require that applications for renewal of registration be accompanied by the
7 certificate of title issued for the vehicle only when the true ownership or proper
8 registration of the vehicle is in doubt and cannot be resolved from records maintained
9 by the department.

10 **SECTION 6409vb.** 341.08 (8) of the statutes is created to read:

11 341.08 (8) The department may not disclose a social security number obtained
12 from an applicant under sub. (2) (am) to any person except to the department of
13 revenue for the sole purpose of determining the applicant's eligibility to register the
14 farm truck under s. 341.26 (3) (a) 1.

15 **SECTION 6409wb.** 341.14 (6r) (b) 2. of the statutes is amended to read:

16 341.14 (6r) (b) 2. An additional fee of ~~\$10~~ \$15 shall be charged for the issuance
17 or reissuance of the plates for special groups specified under par. (f) ~~1. to 34., 48., 49.~~
18 ~~and 51.~~

19 **SECTION 6409xb.** 341.14 (6r) (b) 3. of the statutes is repealed.

20 **SECTION 6409yb.** 341.14 (6r) (b) 4. of the statutes is amended to read:

21 341.14 (6r) (b) 4. An additional fee of \$20 that is in addition to the fee under
22 subd. 2. ~~or 3~~ shall be charged for the issuance or renewal of a plate issued on an
23 annual basis for a special group specified under par. (f) ~~35. to 47.~~ An additional fee
24 of \$40 that is in addition to the fee under subd. 2. ~~or 3.~~ shall be charged for the
25 issuance or renewal of a plate issued on a biennial basis for a special group specified

1 under par. (f) 35. to 47 if the plate is issued or renewed during the first year of the
2 biennial registration period or \$20 for the issuance or renewal if the plate is issued
3 or renewed during the 2nd year of the biennial registration period. The fee under
4 this subdivision is deductible as a charitable contribution for purposes of the taxes
5 under ch. 71.

6 **SECTION 6410cb.** 341.26 (3) (a) 1. of the statutes is amended to read:

7 341.26 (3) (a) 1. For each farm truck having a gross weight of 12,000 pounds
8 or less, a biennial fee of \$42. ~~Registration plates issued under this subdivision expire~~
9 ~~on the last day of February of even-numbered years.~~

10 **SECTION 6410eb.** 341.297 (2) of the statutes is renumbered 341.297 (2) (a) and
11 amended to read:

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

17 **SECTION 6410fb.** 341.297 (2) (b) of the statutes is created to read:

18 341.297 (2) (b) There are established 24 registration periods, each to be
19 designated by a calendar month and to start on the first day of such month and end
20 on the last day of the 24th month from the date of commencing. The department shall
21 so administer the monthly series system of registration as to distribute the work of
22 registering farm trucks as uniformly as practicable throughout the calendar year.

23 **SECTION 6410gb.** 341.43 of the statutes is amended to read:

24 **341.43 Audits.** The department may conduct such audits as it deems
25 necessary to determine the adequacy of fees paid under the international

1 registration plan or other proportional registration law or agreement and taxes and
2 fees paid under s. 341.45. Audits shall be conducted during normal business hours.
3 Credits shall be given for overpayments and deficiencies shall be assessed, with
4 interest. Actual and necessary expenses incurred by an auditor, plus wages, may be
5 assessed against the person audited.

6 **SECTION 6410hb.** 341.45 (title) of the statutes is amended to read:

7 **341.45 (title) Importation in vehicle tanks regulated; taxes; fees;**
8 **permits.**

9 **SECTION 6410jb.** 341.45 (1g) (a) of the statutes is amended to read:

10 341.45 (1g) (a) ~~Every~~ Except as provided in subs. (3) and (4g), every person who
11 purchases or obtains motor vehicle fuel or an alternate fuel outside of this state and
12 operates any qualified motor vehicle into this state upon a highway and transports
13 that fuel in an attached or unattached fuel supply tank for the sole purpose of
14 operating the qualified motor vehicle shall pay the Wisconsin motor vehicle fuel or
15 alternate fuels tax, the oil company franchise fee under ch. 140 and the oil inspection
16 fee under s. 168.12 on the gallons consumed by the qualified motor vehicle while
17 operated on the highways of this state. The person shall pay the tax and fees by
18 purchasing motor vehicle fuel or alternate fuels within this state in an amount that
19 is equivalent to the gallonage consumed while operating the qualified motor vehicle
20 on the highways of this state, or by remitting the tax and fees directly to the
21 department or to another jurisdiction that is a party to the international fuel tax
22 agreement.

23 **SECTION 6410kb.** 341.45 (1g) (b) of the statutes is amended to read:

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

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

7 **SECTION 6410mb.** 341.45 (2) of the statutes is amended to read:

8 341.45 (2) Every person regularly or habitually operating qualified motor
9 vehicles upon the highways of any other state and using in those qualified motor
10 vehicles motor vehicle fuel or an alternate fuel purchased or obtained in this state
11 shall be allowed a credit or refund equal to the oil company franchise fee and oil
12 inspection fee and the tax on the motor vehicle fuel or alternate fuel actually paid to
13 the state in which it is used, but not to exceed the tax and fees imposed on motor
14 vehicle fuel or alternate fuels by this state.

15 **SECTION 6410nb.** 341.45 (3) of the statutes is amended to read:

16 341.45 (3) The department may enter into reciprocal agreements with the
17 appropriate officials of any other state under which it may waive all or any part of
18 the requirements imposed by this section upon those who use motor vehicle fuel or
19 alternate fuels upon which the tax ~~has~~ and fees have been paid to another state if the
20 officials of the other state grant equivalent privileges with respect to motor vehicle
21 fuel or alternate fuels used in that state but upon which the tax ~~has~~ and fees have
22 been paid to Wisconsin.

23 **SECTION 6410pb.** 341.45 (4g) of the statutes is created to read:

24 341.45 (4g) The department may issue trip permits for 72-hour periods to
25 persons who would otherwise be required to pay the Wisconsin motor vehicle fuel or

1 alternate fuels tax and the oil inspection fee under sub. (1g). The department shall
2 charge a fee of not less than \$15 for each permit issued under this subsection. A
3 person who has obtained a permit under this subsection is exempt from the
4 purchasing requirement of sub. (1g) (a).

5 **SECTION 6410rb.** 341.45 (4m) of the statutes is created to read:

6 341.45 (4m) All oil inspection fees paid to the department of transportation
7 under sub. (1g) (a) in excess of oil inspection fee credits or refunds under sub. (2) shall
8 be deposited in the petroleum inspection fund. All oil inspection fees credited or
9 refunded by the department of transportation under sub. (2) in excess of oil
10 inspection fees paid to the department of transportation under sub. (1g) (a) shall be
11 paid from the petroleum inspection fund.

12 **SECTION 6410sb.** 341.45 (5) of the statutes is amended to read:

13 341.45 (5) The department shall promulgate rules under ch. 227 necessary to
14 administer this section. The rules shall include provisions relating to the issuance
15 and use of the permits authorized under sub. (4g). The rules may include provisions
16 relating to the payment of interest on late payments of motor vehicle fuel and
17 alternate fuels taxes, oil company franchise fees and oil inspection fees, and fees for
18 the late payment or underpayment of motor vehicle fuel and alternate fuels taxes,
19 oil company franchise fees and oil inspection fees.”

20 **50.** Page 2131, line 11: delete the material beginning with that line and
ending with page 2139, line 6, and substitute:

21 “**SECTION 6411eb.** 343.01 (2) (cb) of the statutes is created to read:

22 343.01 (2) (cb) “Motorized construction equipment” means motor-driven
23 construction equipment designed principally for off-road use, including a

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

3 **SECTION 6411emb.** 343.01 (2) (d) of the statutes is created to read:

4 343.01 (2) (d) "Photograph" means an unretouched image recorded by a camera
5 and reproduced on a photosensitive surface and includes a digitized image.

6 **SECTION 6411fb.** 343.02 (1) of the statutes is amended to read:

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

12 **SECTION 6411gb.** 343.03 (1) (title) of the statutes is repealed and recreated to
13 read:

14 343.03 (1) (title) COMPLIANCE WITH FEDERAL STANDARDS.

15 **SECTION 6411geb.** 343.03 (1) (a) of the statutes is amended to read:

16 343.03 (1) (a) The department shall institute a classified driver license system
17 meeting all federal standards under 49 USC ~~2701 to 2716~~ 31301 to 31317 and 49 CFR
18 383.

19 **SECTION 6411ggb.** 343.03 (1) (b) of the statutes is amended to read:

20 343.03 (1) (b) The department shall ~~begin issuance of~~ issue operator's licenses
21 in conformity with the classified driver license system to each licensee upon renewal,
22 reinstatement or initial application ~~by April 1, 1991.~~

23 **SECTION 6411gjb.** 343.03 (1) (c) of the statutes is repealed.

24 **SECTION 6411gmb.** 343.03 (5) of the statutes is amended to read:

1 343.03 (5) INQUIRIES BEFORE ISSUANCE. Before issuing a license under this
2 chapter, the department shall obtain driver record information from the national
3 driver registry and commercial driver license information system to determine
4 whether the applicant holds a commercial driver license, or a license that is revoked,
5 suspended or canceled, or is otherwise disqualified. If the applicant is currently
6 licensed in another state, the department shall obtain information on the applicant's
7 license status with the state of licensure before issuing a license.

8 **SECTION 6411grb.** 343.03 (8) of the statutes is repealed.

9 **SECTION 6411hb.** 343.05 (2) (a) 2. of the statutes is amended to read:

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

18 **SECTION 6411jb.** 343.05 (2) (c) of the statutes is amended to read:

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

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

3 **SECTION 6411jgb.** 343.05 (2) (c) 2. of the statutes is created to read:

4 343.05 (2) (c) 2. The vehicle is a vehicle that requires a “P” endorsement for its
5 operation.

6 **SECTION 6411jmb.** 343.05 (4) (a) 3. of the statutes is renumbered 343.05 (2) (a)
7 5. and amended to read:

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

15 **SECTION 6411mmb.** 343.055 (5) of the statutes is amended to read:

16 343.055 (5) RULES. As soon as possible after the federal commercial motor
17 vehicle safety act, 49 USC 2701 to 2716 31301 to 31317, or the regulations adopted
18 under that act permit any commercial driver license waiver, the department shall
19 promulgate rules governing eligibility for the waiver. This subsection applies to
20 waivers not permitted by federal law on May 12, 1992.

21 **SECTION 6411pb.** 343.06 (1) (c) of the statutes is amended to read:

22 343.06 (1) (c) To any person under age 18 unless the person is enrolled in a
23 school program or high school equivalency program and is not a habitual truant as
24 defined in s. 118.16 (1) (a), has graduated from high school or been granted a
25 declaration of high school graduation equivalency or is enrolled in a home-based

1 private educational program, as defined in s. 115.001 (3g), and has satisfactorily
2 completed a course in driver education in public schools approved by the department
3 of public instruction, or in technical colleges approved by the technical college system
4 board, or in nonpublic and private schools which meet the minimum standards set
5 by the department of public instruction, or has satisfactorily completed a
6 substantially equivalent course in driver training approved by the department and
7 given by a school licensed by the department under s. 343.61, or has satisfactorily
8 completed a substantially equivalent course in driver education or training approved
9 by another state and has attained the age of 16, except as provided in s. 343.07 (1).
10 The department shall not issue a license to any person under the age of 18
11 authorizing the operation of "Class M" vehicles unless the person has successfully
12 completed a basic rider course approved by the department. The department may,
13 by rule, exempt certain persons from the basic rider course requirement of this
14 paragraph. Applicants for a license under s. 343.08 or 343.135 are exempt from the
15 driver education, basic rider or driver training course requirement. The secretary
16 shall prescribe rules for licensing of schools and instructors to qualify under this
17 paragraph. The driver education course shall be made available to every eligible
18 student in the state. Except as provided under s. 343.16 (1) (c) and (2) (cm) to (e), no
19 operator's license may be issued unless a driver's examination has been
20 administered by the department.

21 **SECTION 6411p**gb**.** 343.06 (2) of the statutes is amended to read:

22 343.06 (2) ~~After March 31, 1992, the~~ The department shall not issue a
23 commercial driver license, including a renewal, occupational or reinstated license,
24 to any person during any period of disqualification under s. 343.315 or 49 CFR 383.51
25 or the law of another jurisdiction in substantial conformity therewith, as the result

1 of one or more disqualifying offenses committed on or after July 1, 1987. Beginning
2 on April 1, 1992, the department shall cancel any commercial driver license Any
3 person who is known to the department to have been issued to a person who is
4 disqualified be subject to disqualification under s. 343.315 (1) (a) shall be disqualified
5 by the department, unless the required period of disqualification specified in s.
6 343.315 for the disqualifying offense has already expired.

7 **SECTION 6411pmb.** 343.065 (title) of the statutes is amended to read:

8 **343.065** (title) ~~Intrastate restricted~~ **Restricted commercial driver**
9 **license.**

10 **SECTION 6411prb.** 343.065 (1) of the statutes is amended to read:

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

18 **SECTION 6411ptb.** 343.065 (2) of the statutes is amended to read:

19 343.065 (2) A commercial driver license issued under this section shall clearly
20 identify that the license does not authorize the operation of commercial motor
21 vehicles ~~outside this state or~~ in interstate commerce.

22 **SECTION 6411rb.** 343.10 (2) (a) 1. of the statutes is amended to read:

23 343.10 (2) (a) 1. Except for a revocation or suspension that arose out of the same
24 incident or occurrence for which the person's license or operating privilege is
25 currently revoked or suspended, the person's license or operating privilege was not

1 revoked or suspended previously under this chapter or ch. 344 or s. 161.50 within the
2 one-year period immediately preceding the present revocation or suspension.

3 **SECTION 6412beb.** 343.10 (10) (a) of the statutes is amended to read:

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

12 **SECTION 6412bgb.** 343.12 (2) (h) of the statutes is amended to read:

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

19 **SECTION 6412bhb.** 343.14 (3) of the statutes is renumbered 343.14 (3) (a).

20 **SECTION 6412bjb.** 343.14 (3) (b) and (c) of the statutes are created to read:

21 343.14 (3) (b) Any photograph taken of an applicant under par. (a) or s. 343.50
22 (4) may be maintained by the department and shall be kept confidential. The
23 department may release a photograph only to the following persons:

24 1. The person whose photograph was taken.

1 2. Any person authorized in writing by the person whose photograph was
2 taken.

3 3. A law enforcement agency, a state agency or a federal governmental agency
4 to perform a legally authorized function.

5 (c) Any person who has received a photograph under par. (b) shall keep the
6 photograph confidential and may not disclose or reproduce it except as authorized.
7 This paragraph does not apply to the person whose photograph was taken.

8 **SECTION 6412bnb.** 343.14 (4) of the statutes is repealed.”.

9 **51.** Page 2139, line 10: delete the material beginning with that line and
ending with page 2151, line 4 and substitute:

10 **“SECTION 6412cab.** 343.16 (1) (a) of the statutes is amended to read:

11 343.16 (1) (a) *General.* The department shall examine every applicant for an
12 operator’s license, including applicants for license renewal as provided in sub. (3),
13 and every applicant for authorization to operate a vehicle class or type for which the
14 applicant does not hold currently valid authorization, other than an instruction
15 permit. Except as provided in sub. (2) (cm) and (e) and ~~s. 343.03 (8) (b) and (e)~~, the
16 examinations of applicants for licenses authorizing operation of “Class A”, “Class B”,
17 “Class C”, “Class D” or “Class M” vehicles shall include both a knowledge test and
18 an actual demonstration in the form of a driving skills test of the applicant’s ability
19 to exercise ordinary and reasonable control in the operation of a representative
20 vehicle. The department shall not administer a driving skills test to a person
21 applying for authorization to operate “Class M” vehicles who has failed 2 previous
22 such skills tests unless the person has successfully completed a rider course
23 approved by the department. The department may, by rule, exempt certain persons

1 from the rider course requirement of this paragraph. The driving skills of applicants
2 for endorsements authorizing the operation of commercial motor vehicles equipped
3 with air brakes, the transportation of passengers in commercial motor vehicles or the
4 operation of school buses, as provided in s. 343.04 (2) (b), (d) or (e), shall also be tested
5 by an actual demonstration of driving skills. The department may endorse an
6 applicant's commercial driver license for transporting hazardous materials, or the
7 operation of tank vehicles or vehicles towing double or triple trailers, as described
8 in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In
9 administering the knowledge test, the department shall attempt to accommodate
10 any special needs of the applicant. The Except as may be required by the department
11 for an "H" or "S" endorsement, the knowledge test is not intended to be a test for
12 literacy or English language proficiency. This paragraph does not prohibit the
13 department from requiring an applicant to correctly read and understand highway
14 signs.

15 **SECTION 6412ccb.** 343.17 (3) (e) 1. of the statutes is amended to read:

16 343.17 (3) (e) 1. "K" restriction, which restricts a person issued a license under
17 s. 343.065 to from operating commercial motor vehicles ~~only within this state and not~~
18 in interstate commerce.

19 **SECTION 6412cdb.** 343.21 (1) (g) of the statutes is amended to read:

20 343.21 (1) (g) For removing a "K" restriction against operation of commercial
21 motor vehicles ~~outside this state or~~ in interstate commerce, the same fee as for a
22 duplicate license.

23 **SECTION 6412ceb.** 343.21 (1) (jm) of the statutes is created to read:

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

4 **SECTION 6412cfb.** 343.21 (1) (m) of the statutes is created to read:

5 343.21 (1) (m) For reinstatement of a previously canceled license or
6 endorsement, \$50. This fee includes reinstatement of any classification or
7 endorsement applied for at the same time for which the applicant is qualified.

8 **SECTION 6412cgb.** 343.23 (2) of the statutes is amended to read:

9 343.23 (2) The department shall maintain a file for each licensee containing the
10 application for license, permit or endorsement, a record of reports or abstract of
11 convictions, the status of the licensee's authorization to operate different vehicle
12 groups, a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9)
13 (am) and a record of any reportable accident in which the licensee has been involved,
14 including specification of the type of license and endorsements issued under this
15 chapter under which the licensee was operating at the time of the accident and an
16 indication whether or not the accident occurred in the course of the licensee's
17 employment as a law enforcement officer, fire fighter or emergency medical
18 technician — paramedic or as a person engaged, by an authority in charge of the
19 maintenance of the highway, in highway winter maintenance snow and ice removal
20 during either a storm or cleanup following a storm. This information must be filed
21 by the department so that the complete operator's record is available for the use of
22 the secretary in determining whether operating privileges of such person shall be
23 suspended, revoked, canceled or withheld in the interest of public safety. The record
24 of suspensions, revocations and convictions that would be counted under s. 343.307
25 (2) and of convictions for disqualifying offenses under s. 343.315 (2) (h) shall be

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

14 **SECTION 6412chb.** 343.245 (3) (b) 3. and 4. of the statutes are amended to read:

15 343.245 (3) (b) 3. Is subject to an out-of-service order in any state; or

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

18 **SECTION 6412cib.** 343.245 (3) (b) 5. of the statutes is created to read:

19 343.245 (3) (b) 5. Does not possess a valid commercial driver license properly
20 endorsed to permit operation of the vehicle.

21 **SECTION 6412cjb.** 343.245 (4) (b) of the statutes is amended to read:

22 343.245 (4) (b) Any person who violates sub. (3) (b) shall be fined not more than
23 \$5,000 less than \$2,500 nor more than \$10,000 or imprisoned for not more than 90
24 days or both.

1 **SECTION 6412ckb.** 343.265 (1) (intro.) of the statutes is renumbered 343.265
2 (1) and amended to read:

3 343.265 (1) The department may accept the voluntary surrender of the
4 operator's license of a person who has a mental or physical disability or disease or
5 a medical condition which prevents or may prevent the person from exercising
6 reasonable control over a motor vehicle if the person's operating privilege is not
7 subject to suspension or revocation for any reason ~~and if either of the following~~
8 ~~conditions are satisfied.~~

9 **SECTION 6412cLb.** 343.265 (1) (a) and (b) of the statutes are repealed.

10 **SECTION 6412cmb.** 343.28 (1) of the statutes is amended to read:

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

23 **SECTION 6412cnb.** 343.28 (2) of the statutes is amended to read:

24 343.28 (2) Whenever a person is convicted of any offense for which s. 343.31
25 makes mandatory the revocation by the secretary of such person's operating

1 privilege, the court in which the conviction occurred shall require the surrender to
2 it of any license then held by such person. The clerk of the court, or the justice, judge
3 or magistrate if the court has no clerk, shall, as provided in s. 345.48, forward to the
4 department the record of conviction and any surrendered licenses. The record of
5 conviction forwarded to the department shall state whether the offender was
6 involved in an accident at the time of the offense, whether the offender was operating
7 a commercial motor vehicle at the time of the offense and, if so, whether the offender
8 was transporting hazardous materials or operating a vehicle designed to carry, or
9 actually carrying, 16 or more passengers, including the driver.

10 **SECTION 6412cob.** 343.305 (10) (em) of the statutes is amended to read:

11 343.305 (10) (em) One penalty for improperly refusing to submit to a test for
12 intoxication regarding a person arrested for a violation of s. 346.63 (2m) or (7) or a
13 local ordinance in conformity therewith is revocation of the person's operating
14 privilege for 6 months. After the first 15 days of the revocation period, the person
15 is eligible for an occupational license under s. 343.10. Any such improper refusal or
16 revocation for the refusal does not count as a prior refusal or a prior revocation under
17 this section or ss. 343.30 (1q), 343.307 and 346.65 (2). The person shall not be
18 required to submit to and comply with any assessment or driver safety plan under
19 pars. (c) and (d).

20 **SECTION 6412cpb.** 343.315 (2) (f) (intro.) of the statutes is amended to read:

21 343.315 (2) (f) (intro.) A person is disqualified for a period of 60 days from
22 operating a commercial motor vehicle if convicted of 2 serious traffic violations, ~~or~~
23 and 120 days if convicted of 3 serious traffic violations, arising from separate
24 occurrences committed within a 3-year period while driving or operating a
25 commercial motor vehicle. ~~The department shall consider only offenses committed~~

1 ~~on or after November 2, 1989 in applying~~ 120-day period of disqualification under
2 this paragraph shall be in addition to any other period of disqualification imposed
3 under this paragraph. In this paragraph, “serious traffic violations” means:

4 **SECTION 6412cqb.** 343.315 (2) (fm) of the statutes is created to read:

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

8 **SECTION 6412crb.** 343.315 (2) (h) of the statutes is created to read:

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

18 **SECTION 6412csb.** 343.315 (2) (i) of the statutes is created to read:

19 343.315 (2) (i) If the violation listed in par. (h) occurred in the course of
20 transporting hazardous materials or while operating a vehicle designed to carry, or
21 actually carrying, 16 or more passengers, including the driver, the person shall be
22 disqualified from operating a commercial motor vehicle for 180 days upon a first
23 conviction, or for a 3-year period for a 2nd or subsequent conviction, arising from
24 separate occurrences committed within a 10-year period while driving or operating

1 a commercial motor vehicle. A disqualification under this paragraph shall be in
2 addition to any penalty imposed under s. 343.44.

3 **SECTION 6412ctb.** 343.315 (3) (a) of the statutes is amended to read:

4 343.315 (3) (a) Notwithstanding s. 343.39, if a person's license or operating
5 privilege is revoked or suspended as the result of an offense committed after March
6 31, 1992, which results in disqualification under sub. (2), the department shall
7 immediately disqualify the person from operating a commercial motor vehicle for the
8 period required under sub. (2). The person's authorization to operate a commercial
9 motor vehicle shall not be reinstated upon expiration of the period of revocation or
10 suspension unless the period of disqualification has also expired. During any period
11 of disqualification in which the person's license or operating privilege is not revoked
12 or suspended, the department may issue an operator's license to the person for the
13 operation of vehicles other than commercial motor vehicles. ~~Upon expiration of the~~
14 ~~period of disqualification, the person may apply for authorization to operate~~
15 ~~commercial motor vehicles as provided in s. 343.14.~~

16 **SECTION 6412cub.** 343.315 (3) (b) of the statutes is amended to read:

17 343.315 (3) (b) If a person's license or operating privilege is not otherwise
18 revoked or suspended as the result of an offense committed after March 31, 1992,
19 which results in disqualification under sub. (2) (a) to (f), (h) or (i), the department
20 shall immediately ~~cancel the person's license~~ disqualify the person from operating
21 a commercial motor vehicle for the period required under sub. (2) (a) to (f), (h) or (i).

22 Upon proper application by the person and payment of a duplicate license fee, the
23 department may issue a separate license authorizing only the operation of vehicles
24 other than commercial motor vehicles. Upon expiration of the period of

1 disqualification, the person may apply for authorization to operate commercial
2 motor vehicles under s. 343.26.

3 **SECTION 6412cvb.** 343.32 (4) of the statutes is amended to read:

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

11 **SECTION 6412cwb.** 343.325 (title) of the statutes is amended to read:

12 **343.325 (title) Courts to report appeals; when appeal stays suspension**
13 **or, revocation or disqualification.**

14 **SECTION 6412cxb.** 343.325 (2) of the statutes is amended to read:

15 343.325 (2) Notwithstanding ss. 343.31, 343.315 and 343.32 and except as
16 otherwise provided in sub. (4), the secretary shall not suspend or revoke a person's
17 operating privilege or disqualify a person from operating a commercial motor vehicle
18 on the basis of a conviction if the secretary receives from the court in which the
19 conviction occurred a certificate stating that an appeal from the conviction has been
20 taken. If the secretary receives such certificate after suspension or revocation of the
21 operating privilege, the operating privilege shall be reinstated without requiring
22 compliance with s. 343.38. If the secretary receives the certificate after suspension
23 of the operating privilege or disqualification, the operating privilege or authorization
24 to operate a commercial motor vehicle shall be reinstated automatically.

25 **SECTION 6412cyb.** 343.325 (3) of the statutes is amended to read:

1 343.325 (3) Whenever suspension or revocation of an operating privilege or a
2 disqualification has been withheld as provided in sub. (2) and the department
3 receives notice that the conviction in question has been affirmed on appeal or that
4 the appeal has been dropped, the secretary shall suspend or revoke such operating
5 privilege or disqualify the person from operating a commercial motor vehicle on the
6 same basis as if the appeal had not been taken, but the period of suspension ~~or~~,
7 revocation or disqualification shall run from the date of suspension ~~or~~, revocation or
8 disqualification following the affirmance of the conviction or dropping of the appeal,
9 less any time the operating privilege had been suspended or revoked or the
10 authorization to operate a commercial motor vehicle had been disqualified prior to
11 the receipt by the secretary of the certificate under sub. (2).

12 **SECTION 6412czb.** 343.325 (3m) of the statutes is amended to read:

13 343.325 (3m) Whenever the suspension or revocation of an operating privilege
14 or a disqualification has been rescinded or withheld because of administrative
15 action, an appeal, or a court order to reopen, stay or vacate a conviction, suspension
16 ~~or~~, revocation or disqualification, and that suspension ~~or~~, revocation or
17 disqualification is subsequently reimposed, the period of suspension ~~or~~, revocation
18 or disqualification so reimposed shall be reduced by the period of suspension ~~or~~,
19 revocation or disqualification previously served.

20 **SECTION 6412czd.** 343.325 (4) of the statutes is amended to read:

21 343.325 (4) If a person whose suspension ~~or~~, revocation or disqualification was
22 stayed pursuant to sub. (2) is convicted of an offense for which revocation or
23 disqualification is mandatory under s. 343.31 or 343.315, during the pendency of the
24 appeal of the original conviction, the secretary shall forthwith revoke such person's
25 operating privilege or disqualify the person from operating a commercial motor

1 vehicle on account of the latter conviction, notwithstanding the appeal of either or
2 both convictions.

3 **SECTION 6412cze.** 343.325 (5) of the statutes is amended to read:

4 343.325 (5) This section shall not prevent suspension or revocation of an
5 operating privilege or a disqualification if there are grounds for suspension or
6 revocation or disqualification other than the conviction in question.

7 **SECTION 6412czf.** 343.325 (6) (a) of the statutes is amended to read:

8 343.325 (6) (a) If a court enters an order reopening, vacating or staying a
9 conviction or a suspension or revocation of an operating privilege or a
10 disqualification, the court shall promptly forward a copy of that order to the
11 department.

12 **SECTION 6412czg.** 343.44 (title) of the statutes is amended to read:

13 **343.44 (title) Driving while disqualified, out of service or ordered**
14 **out-of-service or after license revoked or suspended.**

15 **SECTION 6412czh.** 343.44 (1) of the statutes is amended to read:

16 343.44 (1) No person whose operating privilege has been duly revoked or
17 suspended pursuant to the laws of this state shall operate a motor vehicle upon any
18 highway in this state during such suspension or revocation or thereafter before filing
19 proof of financial responsibility or before that person has obtained a new license in
20 this state, including an occupational license, or the person's operating privilege has
21 been reinstated under the laws of this state. No person may operate a commercial
22 motor vehicle while ordered out-of-service ~~as provided in s. 343.305 (7) (b) or (9) (am)~~
23 under state or federal law. No person may operate a commercial motor vehicle ~~after~~
24 ~~March 31, 1992,~~ while disqualified as provided in s. 343.315.

25 **SECTION 6412czi.** 343.44 (3) of the statutes is amended to read:

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

8 **SECTION 6412czj.** 343.44 (4r) of the statutes is created to read:

9 343.44 (4r) In addition to other penalties for violation of this section, if a person
10 has violated this section after he or she was ordered out-of-service under state or
11 federal law as provided in s. 343.315, the violation shall result in disqualification
12 under s. 343.315 (2) (h) or (i).

13 **SECTION 6412czk.** 344.12 of the statutes is amended to read:

14 **344.12 Applicability of provisions relating to deposit of security for**
15 **past accidents.** Subject to the exceptions contained in s. 344.14, the provisions of
16 this chapter requiring deposit of security and requiring revocation for failure to
17 deposit security apply to the operator and owner of every motor vehicle which is in
18 any manner involved in an accident in this state which has resulted in bodily injury
19 to or death of any person or damage to property of any other person in excess of \$500
20 \$1,000.

21 **SECTION 6412czm.** 344.14 (2) (e) of the statutes is amended to read:

22 344.14 (2) (e) To the operator or owner of a vehicle involved in an accident
23 wherein no injury was caused to the person of anyone other than such operator or
24 owner and wherein damage to property of any one person other than such operator
25 or owner did not exceed ~~\$500~~ \$1,000.”.

1 **52.** Page 2151, line 20: delete the material beginning with that line and
ending with page 2152, line 4.

2 **53.** Page 2152, line 25: delete the material beginning with that line and
ending with page 2153, line 17, and substitute:

3 “**SECTION 6416smb.** 346.70 (1) of the statutes is amended to read:

4 346.70 (1) IMMEDIATE NOTICE OF ACCIDENT. The operator of a vehicle involved in
5 an accident resulting in injury to or death of any person, any damage to state or other
6 government-owned property, except a state or other government-owned vehicle, to
7 an apparent extent of \$200 or more or total damage to property owned by any one
8 person or to a state or other government-owned vehicle to an apparent extent of \$500
9 \$1,000 or more shall immediately by the quickest means of communication give
10 notice of such accident to the police department, the sheriff’s department or the
11 traffic department of the county or municipality in which the accident occurred or
12 to a state traffic patrol officer. In this subsection, “injury” means injury to a person
13 of a physical nature resulting in death or the need of first aid or attention by a
14 physician or surgeon, whether or not first aid or medical or surgical treatment was
15 actually received; “total damage to property owned by one person” means the sum
16 total cost of putting the property damaged in the condition it was before the accident,
17 if repair thereof is practical, and if not practical, the sum total cost of replacing such
18 property. For purposes of this subsection if any property which is damaged is held
19 in a form of joint or multiple ownership, the property shall be considered to be owned
20 by one person.”.

21 **54.** Page 2153, line 24: delete the material beginning with that line and
ending with page 2160, line 2, and substitute:

1 “**SECTION 6416vib.** 348.15 (3) (bg), (br), (bv) and (e) of the statutes are amended
2 to read:

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

13 (br) In the case of a vehicle or combination of vehicles transporting exclusively
14 peeled or unpeeled forest products cut crosswise or in the case of a vehicle or
15 combination of vehicles transporting exclusively scrap metal, the gross weight
16 imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds
17 or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive
18 axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c),
19 but not to exceed 80,000 pounds. This paragraph does not apply to the national
20 system of interstate and defense highways, except for that portion of USH 51
21 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the
22 I 90/94 interchange near Portage upon their federal designation as I 39.

23 (bv) In the case of a vehicle or combination of vehicles used primarily for the
24 transportation of septage, as defined in s. 144.08 (1) (a), the gross weight imposed on
25 the highway by the wheels of any one axle may not exceed 21,500 pounds or, for 2

1 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles
2 more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c) or,
3 for groups of 4 or more consecutive axles more than 10 feet apart, a weight of 6,000
4 pounds more than is shown in par. (c) or, for groups of 5 or more consecutive axles
5 more than 14 feet apart, a weight of 7,000 pounds more than is shown in par. (c), but
6 not to exceed 80,000 pounds. This paragraph does not apply to the national system
7 of interstate and defense highways, except for that portion of USH 51 between
8 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94
9 interchange near Portage upon their federal designation as I 39.

10 (e) Notwithstanding pars. (a), (b) and (c), in the case of a vehicle or combination
11 of vehicles transporting exclusively livestock, the gross weight imposed on the
12 highway by the wheels of any one axle or axle group may exceed the applicable weight
13 limitation specified in pars. (a), (b) and (c) by 15% if the gross weight of the vehicle
14 or combination of vehicles does not exceed the maximum gross weight specified for
15 that vehicle or combination of vehicles under par. (c). This paragraph does not apply
16 to the national system of interstate and defense highways, except for that portion of
17 USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51
18 and the I 90/94 interchange near Portage upon their federal designation as I 39.

19 **SECTION 6416vLb.** 348.175 of the statutes is amended to read:

20 **348.175 Seasonal operation of vehicles hauling peeled or unpeeled**
21 **forest products cut crosswise or abrasives or salt for highway winter**
22 **maintenance.** The transportation of peeled or unpeeled forest products cut
23 crosswise or of abrasives or salt for highway winter maintenance in excess of gross
24 weight limitations under s. 348.15 shall be permitted during the winter months
25 when the highways are so frozen that no damage may result thereto by reason of such

1 transportation. If at any time any person is so transporting such products or
2 abrasives or salt upon a class "A" highway in such frozen condition then that person
3 may likewise use a class "B" highway without other limitation, except that chains
4 and other traction devices are prohibited on class "A" highways but such chains and
5 devices may be used in cases of necessity. The officers or agencies in charge of
6 maintenance of highways, upon determination of such frozen condition and freedom
7 of damage to such highways by transportation shall declare particular highways, or
8 highways within areas of the state as eligible for increased weight limitations. Such
9 declaration shall include the maximum weight on each axle, combination of axles
10 and the gross weight allowed. Any person transporting any such product over any
11 highway of this state under this section is liable to the maintaining authority for any
12 damage caused to such highway. This section does not apply to the national system
13 of interstate and defense highways, except for that portion of USH 51 between
14 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94
15 interchange near Portage upon their federal designation as I 39.

16 **SECTION 6416vob.** 348.19 (2) (b) and (4) of the statutes are amended to read:

17 348.19 (2) (b) If upon weighing a vehicle transporting livestock a traffic officer
18 determines that the gross weight of the vehicle exceeds the limitations imposed by
19 s. 348.15 or 348.16 or a limitation posted as provided in s. 348.17 (1), and if the point
20 of apprehension is 15 miles or less from the destination of the vehicle, the traffic
21 officer shall permit the operator of the vehicle to proceed to such destination without
22 requiring the vehicle to be reloaded or unloaded as provided in par. (a). This
23 paragraph does not apply to vehicles transporting livestock on the national system
24 of interstate and defense highways, except for that portion of USH 51 between

1 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94
2 interchange near Portage upon their federal designation as I 39.

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

8 **SECTION 6416vrb.** 348.27 (4), (9m) and (9r) of the statutes are amended to read:

9 348.27 (4) INDUSTRIAL INTERPLANT PERMITS. The department may issue, to
10 industries and to their agent motor carriers owning and operating oversize vehicles
11 in connection with interplant, and from plant to state line, operations in this state,
12 annual or consecutive month permits for the operation of such vehicles over
13 designated routes, provided that such permit shall not be issued under this section
14 to agent motor carriers or, except for that portion of USH 51 between Wausau and
15 STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near
16 Portage upon their federal designation as I 39, from plant to state line for vehicles
17 or loads of width exceeding 102 inches upon routes of the national system of
18 interstate and defense highways. If the routes desired to be used by the applicant
19 involve city or village streets or county or town highways, the application shall be
20 accompanied by a written statement of route approval by the officer in charge of
21 maintenance of the highway in question.

22 (9m) TRANSPORTATION OF RAW FOREST AND AGRICULTURAL PRODUCTS. The
23 department may issue annual or consecutive month permits for the transportation
24 of raw forest products or for the transportation of fruits or vegetables from field to
25 storage or processing facilities in vehicles or vehicle combinations that exceed the

1 maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000
2 pounds. A permit issued under this subsection does not authorize the operation of
3 any vehicle or vehicle combination at a maximum gross weight in excess of 90,000
4 pounds. This subsection does not apply to highways designated as part of the
5 national system of interstate and defense highways, except for that portion of USH
6 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and
7 the I 90/94 interchange near Portage upon their federal designation as I 39.

8 **(9r)** TRANSPORTATION OF SCRAP. The department may issue an annual or
9 consecutive month permit for the transportation of metallic or nonmetallic scrap for
10 the purpose of recycling or processing on a vehicle or combination of vehicles which
11 exceeds statutory weight or length limitations and for the return of the vehicle or
12 combination of vehicles when empty. This subsection does not apply to the
13 transportation of scrap on highways designated as part of the national system of
14 interstate and defense highways, except for that portion of USH 51 between Wausau
15 and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange
16 near Portage upon their federal designation as I 39.

17 **SECTION 6416vtb.** 349.16 (1) (intro.), (a) and (b) of the statutes are amended
18 to read:

19 349.16 **(1)** (intro.) The officer in charge of maintenance in case of highways
20 maintained by a town, city or village, the county highway commissioner or county
21 highway committee in the case of highways maintained by the county and the
22 department in the case of highways maintained by the state may do any of the
23 following:

24 (a) Impose special weight limitations on any such highway or portion thereof
25 which, because of weakness of the roadbed due to deterioration or climatic conditions

1 or other special or temporary condition, would likely be seriously damaged or
2 destroyed in the absence of such special limitations;.

3 (b) Impose special weight limitations on bridges or culverts when in its
4 judgment such bridge or culvert cannot safely sustain the maximum weights
5 permitted by statute;.

6 **SECTION 6416vwb.** 349.16 (1) (d) of the statutes is created to read:

7 349.16 (1) (d) Impose special weight limitations on any such highway or portion
8 thereof used as a detour for a state trunk highway under s. 84.02 (10) (b) when such
9 limitations are considered necessary to protect the public safety. This paragraph
10 does not apply to highways maintained by the state.”.

11 **55.** [Page 2437, line 10](#): delete the material beginning with that line and
ending with page 2438, line 2, and substitute:

12 **“SECTION 7245mmb.** 967.055 (2) (a) of the statutes is amended to read:

13 967.055 (2) (a) Notwithstanding s. 971.29, if the prosecutor seeks to dismiss
14 or amend a charge under s. 346.63 (1) or (5) or a local ordinance in conformity
15 therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the
16 use of a vehicle or an improper refusal under s. 343.305, the prosecutor shall apply
17 to the court. The application shall state the reasons for the proposed amendment or
18 dismissal. The court may approve the application only if the court finds that the
19 proposed amendment or dismissal is consistent with the public’s interest in deterring
20 the operation of motor vehicles by persons who are under the influence of an
21 intoxicant, a controlled substance or both, under the influence of any other drug to
22 a degree which renders him or her incapable of safely driving, or under the combined
23 influence of an intoxicant and any other drug to a degree which renders him or her

1 incapable of safely driving, or in deterring the operation of commercial motor
2 vehicles by persons with an alcohol concentration of 0.04 or more. The court may not
3 approve an application to amend the vehicle classification from a commercial motor
4 vehicle to a noncommercial motor vehicle unless there is evidence in the record that
5 the motor vehicle being operated by the defendant at the time of his or her arrest was
6 not a commercial motor vehicle.”.

7 **56.** Page 2617, line 3: delete lines 3 to 9 and substitute:

8 **“SECTION 9146. Nonstatutory provisions; public service commission.**

9 (1b) FENCING, FARM CROSSING AND CATTLE GUARD COSTS. The commissioner of
10 railroads and the chairperson of the public service commission shall jointly develop
11 a plan for phasing in state reimbursement of 100% of the costs incurred by railroads
12 for fencing, farm crossings and cattleguards, and shall submit a report containing
13 their findings, conclusions and recommendations, including recommended statutory
14 changes, to the joint committee on finance by January 1, 1996.”.

15 **57.** Page 2633, line 6: delete the material beginning with that line and ending
with page 2637, line 20, and substitute:

16 “(1mtb) COST-EFFICIENCY STANDARDS.

17 (a) In promulgating rules under section 85.20 (7) (b) of the statutes, as created
18 by this act, the department of transportation shall establish a transit committee to
19 assist the department in developing the cost–efficiency standards for the purposes
20 of section 85.20 (7) (a) of the statutes, as created by this act. The membership of the
21 transit committee shall include the chairpersons of all of the following standing
22 committees of the legislature:

23 1. The highways and transportation committee of the assembly.

1 2. The transportation, agriculture and local affairs of committee of the senate.

2 3. The environment and energy committee of the senate.

3 4. "The natural resources committee of the assembly.

4 (b) This subsection does not apply after December 31, 1996.

5 (1tb) EAST-WEST FREEWAY. The department of transportation may not conduct
6 any construction activities relating to highway resurfacing or bridge repair on the
7 East-West Freeway from downtown Milwaukee to Waukesha until calendar year
8 1997.

9 (2tb) ENTITLEMENT TO SUPPLEMENTS FOR UNBUDGETED COMPENSATION
10 ADJUSTMENTS. Notwithstanding section 20.928 of the statutes, the department of
11 transportation is not entitled to any supplements for unbudgeted compensation
12 adjustments under section 20.928 of the statutes for the 1995-97 fiscal biennium for
13 any position funded from the appropriations under section 20.395 (2) (eq) or (3) (bq),
14 (cq) or (eq) of the statutes, as affected by this act, except for any supplement that
15 exceeds an adjustment increase for that position of 3%, as determined by the
16 secretary of administration.

17 (4) EFFICIENCY MEASURES. By September 1, 1995, the department of
18 transportation shall submit recommendations to the joint committee on finance if
19 the department wishes to reallocate reductions resulting from budgetary efficiency
20 measures and position vacancy reductions among the segregated fund revenue
21 appropriations of the department of transportation for state operations. If the
22 department submits recommendations under this subsection, the recommendations
23 shall be implemented if the committee approves the recommendations, or does not
24 schedule a meeting for the purpose of reviewing the recommendations within 14
25 working days after their receipt.

1 (5) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes, in
2 submitting information under section 16.42 of the statutes, as affected by this act,
3 for purposes of the 1997-99 biennial budget bill, the department of transportation
4 shall submit information as follows:

5 (a) A dollar amount for each fiscal year of the 1997-99 fiscal biennium for the
6 appropriation account under section 20.395 (5) (cq) of the statutes, as affected by this
7 act, that is \$430,600 less than the total amount appropriated under section 20.395
8 (5) (cq) of the statutes for the 1996-97 fiscal year, before submitting any information
9 relating to any increase or decrease in the dollar amount for that appropriation for
10 the 1997-99 fiscal biennium.

11 (b) A number for the authorized FTE positions for the department of
12 transportation, to be funded from the appropriation under section 20.395 (5) (cq) of
13 the statutes, as affected by this act, that is 24.2 SEG positions less than the number
14 of authorized FTE positions funded from that appropriation for the 1996-97 fiscal
15 year, before submitting any information relating to any increase or decrease in FTE
16 position authorizations to be funded from that appropriation for the 1997-99 fiscal
17 biennium.

18 (6) ELDERLY AND DISABLED TRANSPORTATION EXPENDITURES STUDY. The
19 department of transportation shall conduct a study to determine the total amount
20 and sources of all funds expended in this state on transportation services for the
21 elderly and disabled. On or before July 1, 1996, the department of transportation
22 shall report the results of its study to the governor, and to the chief clerk of each house
23 of the legislature for distribution in the manner provided under section 13.172 (2) of
24 the statutes. All other state agencies shall cooperate with the department of
25 transportation in conducting the study.

1 (7) REPAVING OF I 43. The department of transportation shall repave that
2 portion of I 43 with a tined surface beginning before Henry Clay Street and extending
3 beyond Bender and Devon streets in Milwaukee County, no later than 6 months after
4 the effective date of this subsection, for the purpose of eliminating the tined surface.
5 The department shall expend funds not to exceed \$650,000 from the appropriation
6 under section 20.395 (3) (cq) or (cx) of the statutes, as affected by this act, for the
7 repaving project.

8 (8) URBAN RAIL TRANSIT SYSTEMS.

9 (a) The department of transportation shall prepare a report that identifies the
10 amounts of moneys that the department of transportation intended to encumber in
11 the 1995-97 fiscal biennium for the study of any urban rail transit system, including
12 any light rail transit system, and the appropriations from which the moneys were to
13 be encumbered, and shall submit the report to the cochairpersons of the joint
14 committee on finance by August 30, 1995.

15 (b) Upon receiving the report under paragraph (a), the joint committee on
16 finance may transfer all or part of the moneys from the appropriation accounts
17 identified in the report to any of the appropriation accounts under section 20.395 (1)
18 (bq) or (bu) of the statutes, as affected by this act. Upon transfer of any moneys to
19 the appropriation account under s. 20.395 (1) (bq) or (bu) of the statutes, the amounts
20 in the schedule are increased by the amount transferred for the fiscal year in which
21 the transfer is made.

22 (9) UNFAIR SALES ACT STUDY. The department of transportation and the
23 department of agriculture, trade and consumer protection shall jointly develop a
24 plan for strengthening the enforcement of this state's unfair sales act, particularly
25 as it relates to the sale of motor vehicle fuel and other petroleum products, and shall

1 submit a report containing their findings, conclusions and recommendations,
2 including recommended statutory changes, to the joint committee on finance by
3 September 30, 1995.”.

4 **58.** Page 2671, line 14: delete lines 14 to 18 and substitute:

5 “(2mtb) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM. There is
6 transferred from the appropriation account to the department of natural resources
7 under section 20.370 (9) (mr) of the statutes, as affected by the acts of 1995, to the
8 appropriation account to the department of transportation under section 20.395 (5)
9 (dk) of the statutes, as affected by the acts of 1995, \$47,500 in fiscal year 1996–97.”.

10 **59.** Page 2673, line 7: delete the material beginning with that line and ending
with page 2674, line 4, and substitute:

11 **“SECTION 9255. Appropriation changes; transportation.**

12 (2mtb) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM.

13 (a) There is transferred from the appropriation account to the department of
14 transportation under section 20.395 (5) (dq) of the statutes, as affected by the acts
15 of 1995, to the appropriation account to the department of transportation under
16 section 20.395 (5) (dk) of the statutes, as affected by the acts of 1995, \$32,400 in fiscal
17 year 1996–97.

18 (b) There is transferred from the appropriation account to the department of
19 transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of
20 1995, to the appropriation account to the department of transportation under section
21 20.395 (5) (dk) of the statutes, as affected by the acts of 1995, \$15,100 in fiscal year
22 1996–97.

1 (2mu) HAZARDOUS MATERIALS TRANSPORTATION FEES. Notwithstanding section
2 20.001 (3) (b) of the statutes, the unencumbered balance in the appropriation account
3 under section 20.395 (4) (bh) of the statutes, as affected by this act, immediately
4 before the effective date of this subsection shall lapse to the transportation fund.”.

5 **60.** Page 2691, line 23: delete the material beginning with that line and
ending with page 2692, line 4, and substitute:

6 “(11mtb) MOTOR VEHICLE FUEL EXEMPTIONS. The treatment of sections 78.005
7 (13g), 78.01 (2) (e) and (2m) (f), 78.40 (1) and 78.75 (1m) (a) 2. and 3. of the statutes
8 first applies to fuel purchased on the first day of the first month beginning after
9 publication.

10 (11mut) GROSS FARM PROFITS CERTIFICATION. The treatment of section 73.03
11 (29m) of the statutes first applies to taxable years beginning on January 1, 1996.”.

12 **61.** Page 2692, line 16: delete the material beginning with that line and
ending with page 2693, line 7, and substitute:

13 **“SECTION 9355. Initial applicability; transportation.**

14 (1b) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment of sections
15 344.12, 344.14 (2) (e) and 346.70 (1) of the statutes first applies to accidents occurring
16 on the effective date of this subsection.

17 (2b) COMMERCIAL DRIVER LICENSES. The treatment of sections 343.10 (2) (a) 1.,
18 343.245 (4) (b), 343.28 (1) and (2), 343.315 (2) (f) (intro.), (fm), (h) and (i) and 343.44
19 (4r) of the statutes first applies to offenses and refusals committed on the effective
20 date of this subsection, but does not preclude the counting of other convictions,
21 suspensions, revocations, disqualifications or refusals as prior convictions,
22 suspensions, revocations, disqualifications or refusals for purposes of sentencing a

1 person, suspending or revoking a person's operating privilege, disqualifying a person
2 from operating a commercial motor vehicle or determining eligibility for an
3 occupational license or authorization to operate certain vehicles.

4 (3b) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395 (1)
5 (bq) and (bu) and 85.20 (4m) (a), (am), (e) and (em) 1. and (4s) of the statutes and the
6 creation of sections 20.395 (1) (bs) and 85.20 (4m) (a) 1. to 3. of the statutes first apply
7 to urban mass transit operating assistance payments for calendar year 1996.”.

8 **62.** Page 2694, line 3: delete lines 3 to 8.

9 **63.** Page 2714, line 14: after “(c) 1.,” insert “144.266 (2),”.

10 **64.** Page 2715, line 5: delete “, 101.973 (8) and 144.266 (2)” and substitute “and
11 101.973 (8)”.

12 **65.** Page 2727, line 16: delete the material beginning with that line and
13 ending with page 2728, line 24, and substitute:

14 “(1jb) EMPLOYMENT TRANSIT ASSISTANCE PROGRAM. The treatment of sections
15 20.395 (1) (by), 25.40 (2) (b) 15g. and 85.26 of the statutes and the renumbering and
16 amendment of section 20.395 (1) (bw) of the statutes take effect on July 1, 1996.

17 (1mtb) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment of sections
18 344.12, 344.14 (2) (e) and 346.70 (1) of the statutes and SECTION 9355 (1b) of this act
19 take effect on January 1, 1996.

20 (1tb) SPECIAL GROUP LICENSE PLATE FEES. The treatment of section 341.14 (6r)
21 (b) 2., 3. and 4. of the statutes takes effect on January 1, 1996.

(2ctb) EXEMPTION REPORTS. The treatment of section 70.337 (7) of the statutes
takes effect on March 31, 1996.

1 (2gtb) INTERNATIONAL FUEL TAX AGREEMENT; PERMITS. The treatment of sections
2 20.395 (5) (cq), 25.40 (1) (a) 12., 168.12 (5m), 341.43 and 341.45 (title), (1g) (a) and
3 (b), (2), (3), (4m) and (5) of the statutes takes effect on October 1, 1995.

4 (2mtb) AIRCRAFT REGISTRATION.

5 (a) The treatment of sections 114.002 (4), (11) and (13) and 114.20 (2) (c), (5),
6 (7) and (13) (b) 1., 2., 3. and 5. of the statutes takes effect on November 1, 1995.

7 (b) The treatment of section 114.20 (1) (title), (a) and (b), (2) (intro.), (9) (a) to
8 (c) and (d), (9m) (intro.), (12) and (15) (b) of the statutes and the repeal and recreation
9 of section 114.20 (5) and (13) (b) 1. and 2. of the statutes take effect on November 1,
10 1996.

11 (2tb) MOTOR VEHICLE FUEL TAX. The treatment of sections 78.12 (2) (intro.) and
12 (5) (a) and 78.49 (1) (a) and (b) of the statutes takes effect on August 1, 1995.

13 (3gtb) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395 (1)
14 (bq) and (bu) and 85.20 (4m) (a), (am), (e) and (em) 1. and (4s) of the statutes and the
15 creation of sections 20.395 (1) (bs) and 85.20 (4m) (a) 1. to 3. of the statutes take effect
16 on January 1, 1996.

17 (3mtb) FARM TRUCK REGISTRATION. The treatment of sections 341.08 (2) (am)
18 and (cm), (4) and (8), 341.26 (3) (a) 1. and 341.297 (2) of the statutes and the creation
19 of section 341.297 (2) (b) of the statutes take effect on January 1, 1997.

20 (3tb) OIL COMPANY FRANCHISE FEE. The treatment of sections 25.40 (1) (a) 3.,
21 73.01 (4) (a) and 84.59 (2) and chapter 140 of the statutes takes effect on October 1,
22 1995.”.

23 **66.** [Page 2727, line 16](#): delete the material inserted by senate amendment
(LRBb1649/2).

