



Motion: Adopted: Lost: Tabled: Absent: Number of votes required: [X] Majority [] Two-thirds Reviewed by: , Corp Counsel Reviewed by: , Finance Dir.

LAD

INTENT & SYNOPSIS: To encourage the modification of state law to clarify that revenues generated by forfeitures for overweight vehicles are to be paid to the highway department responsible for maintaining the road upon which the violation took place.

FISCAL NOTE: The forfeitures at issue vary significantly from year to year and from jurisdiction to jurisdiction but the reader can anticipate about \$50,000 going to the Wood County Highway Department annually to pay for road repairs.

Table with 5 columns: NO, YES, A, and 19 rows of names (LaFontaine, D to Leichtnam, B)

WHEREAS, the current state of the law doesn't specify what is supposed to happen to revenues from overweight vehicle citations issued by county sheriff's departments for vehicles on county highways or roads a county is responsible for maintaining, and

WHEREAS, the purpose of the penalty that exceeds the base \$100 or \$150 forfeiture, which added penalty is based upon the level of excess weight, is to reimburse the jurisdiction responsible for maintaining the road the costs attendant to the damage caused by the overweight vehicles, and

WHEREAS, the statute that sets forth the penalty structure, Wis. Stat. s. 66.0114, doesn't currently address what to do with the added penalties for citations issued for overweight vehicles cited on either county highways or roads the county is responsible for maintaining, and

WHEREAS, the Clerk of Courts Automation Program (CCAP) run by the state requires counties to use its CCAP forfeiture accounting program and that program allocates these added forfeitures to the state instead of the respective counties due to the lack of direction provided by the law, and

WHEREAS, the purpose of the added penalties tied to the amount of excess weight is not intended to be punitive but rather to serve as a user fee so as to allocate the costs of additional road damage repairs caused by overweight vehicles to the highway departments responsible for making those repairs and not to burden the taxpayers generally with this expense.

NOW, THEREFORE, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to go on record to support enactment of legislation along the lines set forth below that would allow county highway departments responsible to maintain the roads used by drivers cited for overweight vehicles to keep the added penalty tied to the excess weight of the vehicle cited.

Wis. Stat. s. 66.0114(3)

(d) The entire amount in excess of \$150 of any forfeiture imposed for the violation of any traffic regulation in conformity with ch. 348 for a citation issued by a county sheriff's department or state patrol where the violation occurred on a county highway or other highway that a county has primary maintenance responsibility for shall be transmitted to the county highway department.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Evers, Wisconsin Secretary of Transportation Thompson, and all state legislators representing any part of Wood County.

BE IT FURTHER RESOLVED that this resolution be referred to the Wisconsin Counties Association so as to be considered at the WCA Annual Business Meeting.

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ADAM FISCHER (Chair)

BILL CLENDENNING (Chairman)

WILLIAM WINCH

BILL LEICHTNAM

MARION HOKAMP

KEN CURRY

LANCE PLIML

BRAD HAMILTON

DENNIS POLACH

JAKE HAHN

Adopted by the County Board of Wood County, this day of 20