



Legislation Details (With Text)

**File #:** 58223      **Version:** 1      **Name:** Repeal the Motor Vehicle Registration Fee if funding provided by a Regional Transit Authority

**Type:** Ordinance      **Status:** Filed

**File created:** 11/12/2019      **In control:** Attorney's Office/Approval Group

**On agenda:** 1/21/2020      **Final action:** 1/21/2020

**Enactment date:**      **Enactment #:**

**Title:** Creating Section 12.177(5) of the Madison General Ordinances to conditionally repeal the Motor Vehicle Registration Fee if funding is provided by a Regional Transit Authority.

**Sponsors:** Michael J. Tierney, Donna V. Moreland, Paul E. Skidmore

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
1/21/2020	1	COMMON COUNCIL	Place On File	Pass
1/13/2020	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO PLACE ON FILE - REPORT OF OFFICER	Pass
12/2/2019	1	TRANSPORTATION POLICY AND PLANNING BOARD - ended 3/2023	Return to Lead with the Recommendation to Place on File	
11/19/2019	1	FINANCE COMMITTEE	Referred	
11/19/2019	1	COMMON COUNCIL	Refer	Pass
11/12/2019	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

In October 2019 the Common Council authorized the creation of a vehicle registration fee. This proposal includes language in the resolution that the fee will be eliminated in the event a regional transit authority is established. The annual estimated revenue from the fee is \$7.9 million.

**Title**

Creating Section 12.177(5) of the Madison General Ordinances to conditionally repeal the Motor Vehicle Registration Fee if funding is provided by a Regional Transit Authority.

**Body**

DRAFTER'S ANALYSIS: This ordinance would amend the newly created Motor Vehicle Registration Fee (effective 2-1-2020) ordinance by adding in a conditional repeal provision which would eliminate the City's Motor Vehicle Registration Fee (MVRF) if a regional transit authority (RTA) was created that would provide adequate replacement funding for transit needs that are to be supported by the City's MVRF. A Dane County RTA was initially authorized during the 2009 State budget process (2009 Act 28) and subsequently established. The Dane County RTA was a separate governing body that was able to impose up to a .5 percent sales tax to support transportation needs, including the establishment of bus rapid transit, of the region. However, in the 2011 budget process (2011 Act 32), the State eliminated the ability to create a RTA and dissolved the Dane County RTA over the City's formal opposition (RES-11-00148). Subsequent efforts to revive the ability create a Dane County RTA at the State level have been unsuccessful, although the City has established goals for any future RTA that may be authorized (RES-17-00170). Legislative efforts remain ongoing. If adopted, this ordinance would automatically repeal the City's MVRF if a Dane County RTA was again established and was able to provide adequate replacement funding to the City's transit services and the

shift in funding sources would not jeopardize any grant or other revenue sources.  
This ordinance shall be effective February 1, 2020.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (5) entitled "Repeal" of Section 12.177 entitled "Motor Vehicle Registration Fee" of the Madison General Ordinances is created to read as follows:

"(5) Repeal.

(a) This ordinance will be repealed, without further action of the Council, upon the occurrence of the following:

1. The City Attorney, the Finance Director and the Transportation Director all certify in writing to the Mayor and the Council that:
  - a. A regional transit authority, or similar body, has been created that includes the territory of the City of Madison;
  - b. The authority agrees to provide, on an ongoing and continuous basis, at least the same amount funding to the City's transit needs, including bus rapid transit, as are derived from the motor vehicle registration fee under this Section; and,
  - c. That the use of this funding source instead of the motor vehicle registration fee will not jeopardize any grants or other funding sources for the City's transit needs.
2. After the certification is provided to the Council under Paragraph (a), the City Attorney shall prepare a Notice of Repeal pursuant to the directives of Wis. Stat. §341.35(4) and Wis. Admin Code ch Trans 126, or as otherwise required under the applicable State law at the time. This Notice of Repeal shall be signed by the Mayor and submitted to the Wisconsin Department of Transportation as required by State law.

(b) The repeal shall take effect on the first day of the month that is not less than 90 days from the date that the Notice of Repeal was sent to the Wisconsin Department of Transportation, unless a shorter period is allowed by State law."

2. This ordinance shall be effective on February 1, 2020.