



## 2023 SENATE BILL 1043

February 19, 2024 - Introduced by Senators LARSON and COWLES, cosponsored by Representatives MADISON, MAXEY, DONOVAN, C. ANDERSON, J. ANDERSON, ANDRACA, BALDEH, CLANCY, CONLEY, CONSIDINE, DRAKE, JACOBSON, JOERS, S. JOHNSON, MELOTIK, MICHALSKI, RATCLIFF, SCHMIDT, SINICKI, STUBBS, SUBECK, GUNDRUM and PALMERI. Referred to Committee on Labor, Regulatory Reform, Veterans and Military Affairs.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT** *to create* 101.1115 of the statutes; **relating to:** requiring periodic  
2           inspections of parking structures.

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### *Analysis by the Legislative Reference Bureau*

This bill requires the owner of a parking structure to engage a professional engineer to inspect the structural integrity of the parking structure at least once within five years after the bill takes effect, and at least once every five years thereafter. The owner must also submit a report containing the results of the inspection to the Department of Safety and Professional Services or, if the city, village, town, or county within which the parking structure is located is authorized to perform commercial building plan examinations, to that city, village, town, or county. During the period beginning six months after the date by which the bill requires an inspection and ending 12 months after that date, an owner of a parking structure who violates the bill's requirement is subject to a forfeiture of \$200 for each month that no inspection is conducted. One year after the date by which the bill requires an inspection, DSPS must close the parking garage if no inspection is conducted.

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

3           **SECTION 1.** 101.1115 of the statutes is created to read:

**SENATE BILL 1043****SECTION 1**

1           **101.1115 Periodic inspection of parking structure.** (1) In this section,  
2 “plan review authority” means the department or, if the city, village, town, or county  
3 within which a parking structure is located is authorized to perform examinations  
4 under s. 101.12, that city, village, town, or county.

5           (2) (a) The owner of a parking structure shall engage a professional engineer  
6 registered under s. 443.04 at least once within 5 years of the effective date of this  
7 paragraph .... [LRB inserts date], and at least once every 5 years after the most recent  
8 such inspection, to inspect the structural integrity of the parking structure to ensure  
9 that it can continue to meet the loads and uses for which it was designed.

10           (b) An inspection of the structural integrity of a parking structure conducted  
11 under s. 101.02 or 101.12 satisfies the requirement under par. (a).

12           (c) The owner of a parking structure shall submit a report containing the  
13 results of an inspection required under par. (a), other than an inspection conducted  
14 under s. 101.02 or 101.12, to the plan review authority of the parking structure.

15           (3) (a) If the owner of a parking structure violates sub. (2) (a), the plan review  
16 authority of the parking structure, if not the department, shall notify the department  
17 of the violation no later than 30 days after the date by which sub. (2) (a) requires an  
18 inspection.

19           (b) No later than 30 days after receiving notice under par. (a), the department  
20 shall notify the owner of the parking structure of the requirements and penalties  
21 under this section.

22           (c) For the period beginning 6 months after the date by which sub. (2) (a)  
23 requires an inspection and ending 12 months after the date by which sub. (2) (a)  
24 requires an inspection, the owner of a parking structure who violates sub. (2) (a) shall  
25 forfeit \$200 for each month that the owner violates sub. (2) (a).

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1           (d) One year after the date by which sub. (2) (a) requires an inspection, the  
2           department shall close a parking structure that has not been inspected as described  
3           under sub. (2) (a). If the plan review authority of the parking structure is a city,  
4           village, town, or county, the department shall notify the plan review authority of the  
5           closure of the parking structure.

6           (e) If the department closes a parking structure under par. (d) and the parking  
7           structure is later inspected as described under sub. (2) (a) and the department allows  
8           the parking structure to reopen, if the plan review authority of the parking structure  
9           is a city, village, town, or county, the department shall notify the plan review  
10          authority of the date that the inspection was conducted.

11                               **(END)**