

CO-SPONSORSHIP MEMORANDUM

TO: Members of the Wisconsin State Legislature

FROM: Representatives Dave Maxey, Bob Donovan, and Darrin Madison
Senators Cory Tomczyk, Van Wanggaard, and Chris Larson

DATE: March 6, 2025

RE: Co-sponsorship of LRB-1435/1 and LRB-2302/1, relating to: requiring periodic inspections of parking structures.

DEADLINE: **March 14, 2025 at 5:00 PM**

On February 23, 2023, a partial collapse occurred at the 3-story parking garage at Bayshore Mall in Glendale during the lunch rush. Thankfully, no one was injured, but two cars were crushed, and 56 others were trapped for several days. This incident highlights a critical gap in state law—parking garages aren't required to undergo periodic safety inspections after they're built.

This isn't the first such case in Wisconsin. In 2010, a panel fell from a Milwaukee parking garage, killing 15-year-old Jared Kellner and injuring two others. Currently, parking garages, classified as "public buildings," fall under the Commercial Building Code, which mandates inspections only after construction or alterations, or if a safety complaint is filed. However, regular post-construction inspections aren't required, leaving parking garages vulnerable to deterioration from constant use, much like bridges, which are inspected every 2-4 years.

To address this, this legislation proposes mandatory inspections every 5 years, with owners required to submit reports to the Department of Safety and Professional Services (DSPS) or local authorities. Owners who fail to comply would face a grace period, followed by fines, and if the inspection isn't completed within 12 months, the garage would be closed until inspected.

If you would like to co-sponsor this legislation, please reply to this email or contact Representative Maxey's office or Senator Tomczyk's office by March 14, 2025 at 5:00 PM. Co-sponsors will be added to both the Assembly and Senate bills unless otherwise requested.

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 structure if no inspection is conducted.