



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0592/1
EVM:sac

2015 ASSEMBLY BILL 370

September 25, 2015 - Introduced by Representatives KRUG, KNODL, BORN, EDMING, MURSAU, ALLEN, HUTTON and SKOWRONSKI, cosponsored by Senator OLSEN. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 341.08 (7), 341.09 (3), 341.28 (4) (c), 341.31 (1) (d), 341.33 (2),
2 343.20 (3) and 343.20 (4) of the statutes; **relating to:** operator's licenses held
3 by, and registration of motor vehicles by, persons on active duty in the U.S.
4 foreign service.

Analysis by the Legislative Reference Bureau

Under current law, persons on active duty in the U.S. armed forces are accorded certain privileges related to vehicle registration and motor vehicle operator licensing. Among these are the following:

1. If, on the date of expiration of a vehicle's registration, the registrant is on active duty in the U.S. armed forces and is absent from the state, the vehicle's registration does not expire. Instead, the vehicle's registration expires 30 days after the registrant returns to this state or 90 days after the registrant is discharged from active duty, whichever is earlier.

2. Upon proper application, the Department of Transportation (DOT) must issue, without charge, a temporary operation plate that authorizes a person who is engaged in the active military service of the United States or its allies and who has been granted a furlough to operate a vehicle without registration of the vehicle. The plate is valid while the applicant is on furlough and for a period not to exceed 30 days.

3. DOT must refund the unused portion of a registration fee paid for the registration of a vehicle owned by a person who is entering active service in the naval or military forces of the United States upon the person's providing proof that the vehicle will not be operated in this or another state during the remainder of the

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period for which the vehicle is registered and return of the certificate of registration and registration plates.

4. If a person who holds a valid license is unable to make a renewal application within the period declared by DOT due to serving with any branch of the armed services, the person may apply for a renewal of the license at any time during the person's service or within six months after the date of discharge from service.

5. If, on the expiration date of an operator's license, the licensee is on active duty in the U.S. armed forces and is absent from this state, the license does not expire. Instead, the license expires 30 days after the licensee returns to the state or 90 days after the licensee is discharged from active duty, whichever is earlier.

6. In general, a person must pay the vehicle registration fee for the entire registration period. In certain cases, a person who has been in active military service is entitled to pay a part-period fee.

Under this bill, each of the privileges listed above is also accorded to persons on active duty in the U.S. foreign service.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 341.08 (7) of the statutes is amended to read:

2 341.08 (7) A vehicle's registration does not expire on the date of expiration of
3 registration under ss. 341.25 to 341.36 if, on that date of expiration, the registrant
4 is on active duty in the U.S. armed forces and is absent from this state or is a member
5 of the U.S. foreign service appointed under 22 USC 3942 (a) (1) or 3943 who is on
6 active duty and is absent from this state. Any registration extended under this
7 subsection expires 30 days after the registrant returns to this state or 90 days after
8 the registrant is discharged from active duty, whichever is earlier. If a registration
9 is renewed after an extension under this subsection, the renewal period shall begin
10 on the day after the date of expiration of registration.

11 **SECTION 2.** 341.09 (3) of the statutes is amended to read:

12 341.09 (3) Upon application ~~therefor~~ to the department by a person engaged
13 in the active military service of the United States or its allies or who is a member of

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1 the U.S. foreign service appointed under 22 USC 3942 (a) (1) or 3943 who is on active
2 duty and upon satisfactory proof of the active military or foreign service status of the
3 applicant and of being granted a furlough, the department shall issue to the
4 applicant without charge a temporary operation plate which that authorizes the
5 applicant to operate any vehicle owned or designated by the applicant without
6 registration of the vehicle. The plate is valid only while the applicant is on furlough
7 and for a period not to exceed 30 days. The department shall determine the size,
8 color, design, form, and specifications of a plate issued under this subsection. The
9 plate may be similar or identical to a plate issued under sub. (2).

10 **SECTION 3.** 341.28 (4) (c) of the statutes is amended to read:

11 341.28 (4) (c) The automobile is owned by a person who has been in active
12 military service or who is a member of the U.S. foreign service appointed under 22
13 USC 3942 (a) (1) or 3943 who has been in active service and less than 12 months of
14 nonoperation have elapsed since the end of the period for which the automobile was
15 previously registered, provided the applicant files with the department a statement
16 of such nonoperation.

17 **SECTION 4.** 341.31 (1) (d) of the statutes is amended to read:

18 341.31 (1) (d) The vehicle is owned by a person who has been in active military
19 service or who is a member of the U.S. foreign service appointed under 22 USC 3942
20 (a) (1) or 3943 who has been in active service and less than 12 months of nonoperation
21 have elapsed since the end of the period for which the vehicle was previously
22 registered, provided the applicant files with the department a statement of such
23 nonoperation.

24 **SECTION 5.** 341.33 (2) of the statutes is amended to read:

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1 341.33 (2) The department shall refund the unused portion of a registration fee
2 paid for the registration of a vehicle owned by a person who is entering active service
3 in the naval or military forces of the United States or who is a member of the U.S.
4 foreign service appointed under 22 USC 3942 (a) (1) or 3943 entering active service
5 if the person makes application for such refund upon a form prescribed by the
6 department, furnishes such any proof as that the department ~~may require~~ requires
7 that the vehicle will not be operated in this or another state during the remainder
8 of the period for which the vehicle is registered, and returns to the department the
9 certificate of registration and registration plates. The refund shall be computed on
10 the basis of one-twelfth of the annual registration fee or one twenty-fourth of the
11 biennial registration fee paid for the vehicle, multiplied by the number of full months
12 remaining in the period for which the vehicle is registered when the vehicle ceases
13 to be operated.

14 **SECTION 6.** 343.20 (3) of the statutes is amended to read:

15 343.20 (3) Any person who holds a valid license and who is unable to make a
16 renewal application within the period declared by the department, due to serving
17 with any branch of the armed services or as a member of the U.S. foreign service
18 appointed under 22 USC 3942 (a) (1) or 3943, may apply for a renewal of the license
19 at any time during such service or within 6 months after the date of discharge from
20 such services.

21 **SECTION 7.** 343.20 (4) of the statutes is amended to read:

22 343.20 (4) Any license issued under this chapter does not expire on the
23 expiration date on the license if, on that expiration date, the licensee is on active duty
24 in the U.S. armed forces and is absent from this state or is a member of the U.S.
25 foreign service appointed under 22 USC 3942 (a) (1) or 3943 who is on active duty and

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1 is absent from this state. Any license extended under this subsection expires 30 days
2 after the licensee returns to this state or 90 days after the licensee is discharged from
3 active duty, whichever is earlier. If a license is renewed after an extension under this
4 subsection, the renewal period shall begin on the day after the expiration date on the
5 license.

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(END)