

1999 ASSEMBLY BILL 444

September 2, 1999 – Introduced by LAW REVISION COMMITTEE. Referred to
Committee on Transportation.

1 **AN ACT to repeal** 340.01 (61), 341.14 (6m) (b) 2., 341.264 (3), 341.28 (2) (c), 341.28
2 (4) (d), 341.31 (1) (b) 7., 341.31 (6) and 342.14 (9); **to renumber and amend**
3 343.14 (5), 343.19 (2) and 345.17; **to consolidate, renumber and amend**
4 341.14 (6m) (b) (intro.) and 1.; **to amend** 70.112 (5), 77.995, 85.024 (2), 341.03
5 (2) (a), 341.04 (1) (intro.), 341.04 (3) (a), 341.06 (1) (am), 341.09 (1) (b), 341.09
6 (2) (g), 341.09 (2m) (a) 1. b., 341.09 (2m) (a) 2., 341.09 (9), 341.14 (1), 341.14 (1a),
7 341.14 (1m), 341.14 (1q), 341.14 (1r) (a), 341.14 (2), 341.14 (6) (a), 341.14 (6m)
8 (a), 341.14 (6r) (b) 1., 341.14 (6r) (bg) 1., 341.145 (1) (a), 341.145 (1) (b), 341.145
9 (2) (a), 341.25 (1) (a), 341.26 (7) (b), 341.264 (1) and (2) (a), 341.28 (4) (c), 341.308
10 (2), 341.35 (1), 342.06 (1) (b), 342.10 (1) (d), 342.15 (4) (a), 342.30 (2), 342.34 (1)
11 (c), 343.50 (4), 344.25 (2), 344.26 (1), 344.27 (2), 344.31, 344.33 (2), 344.46 (1),
12 346.10 (3), 346.195 (2) (c), 346.205 (2) (c), 346.457 (2) (c), 346.465 (2) (c), 346.485
13 (2) (c), 346.505 (3) (b) 3., 346.945 (2) (c), 348.25 (6) and 885.237 (2); **to repeal**
14 **and recreate** 341.14 (6r) (g), 341.145 (5) and 341.27 (3) (a); and **to create**

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1 341.405 (2m), 343.14 (5) (a), 343.14 (5) (b), 343.14 (9), 343.19 (2) (a), 343.19 (2)
2 (b), 343.19 (4), 345.17 (1) (a), 345.17 (1) (b), 345.17 (1) (c) and 345.17 (2) of the
3 statutes; **relating to:** the term “station wagon”; requests for personalized
4 vehicle registration plates; the contents of certificates of vehicle title; motor
5 vehicle financial responsibility laws; temporary operation plates for leased
6 vehicles; the location of vehicle identification numbers; the expiration date of
7 trailer fleet registration; credit and plate transfer provisions associated with
8 the registration of automobiles; the elimination of certain replacement plate
9 fees; registering semitrailers under the international registration plan; motor
10 vehicles passing within 100 feet of an intersection located outside of a business
11 or residential district; the renumbering of statutory provisions prohibiting
12 individuals from making false statements to the department of transportation;
13 deadlines for submitting applications and awarding grants under the bicycle
14 and pedestrian facilities grant program; granting rule-making authority; and
15 providing penalties (suggested as remedial legislation by the department of
16 transportation).

Analysis by the Legislative Reference Bureau

Vehicle registration and titling

Current law requires certificates of vehicle title to contain a description of the vehicle, including its make, model and identification number. This bill eliminates the requirement that the vehicle model be included on the certificate of title.

Current law requires that requests for personalized vehicle registration plates be delivered to the department of transportation (DOT) by mail. This bill eliminates this requirement.

Under current law, effective September 1, 1998, a motor vehicle dealer licensed in this state is required to issue temporary operation plates without charge to any state resident who purchases from the dealer an automobile, station wagon or light truck (a truck with a registered gross weight of not more than 8,000 pounds) and submits to the dealer complete applications for registration and titling of the vehicle. Also effective September 1, 1998, the licensed motor vehicle dealer may issue

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temporary operation plates at a fee of \$3 to any state resident who purchases from a person other than a dealer an automobile, station wagon or light truck and submits to the dealer complete applications for registration and titling of the vehicle.

This bill specifies that these provisions of current law also apply to leased vehicles, except that the lessee is not required to submit to the dealer a complete application for titling of the leased vehicle.

Current law prohibits the owner of an automobile that is being registered with DOT from receiving credit for the unused portion of another automobile's registration or transferring that automobile's license plates to the automobile that is being registered if such credit or plate transfer provisions have applied, within the previous 12-month period, to the automobile that is being registered. This bill eliminates this prohibition.

Under current law, DOT collects a fee of \$4 whenever such credit or plate transfer provisions are used. This bill eliminates this fee. The bill also eliminates the replacement plate fee of \$4 associated with personalized license plates or the loss of eligibility for special group plates.

Under current law, the owner of a fleet of 100 or more trailers, each having a gross weight of 4,500 pounds or less and used for hire or rental, may register the trailers for a six-year period ending June 30. This bill eliminates this expiration date, allowing DOT to establish the expiration date.

This bill clarifies that DOT may register semitrailers under the international registration plan for an annual fee of \$50 and may issue metal registration plates as evidence of such registration.

Proof of financial responsibility

Under current law, the motor vehicle financial responsibility laws of this state require DOT to notify the operator or owner of a motor vehicle that is involved in an accident that results in injury, death or property damage of \$500 or more and to obtain a deposit of security for the accident. A deposit is not required if the person can provide proof of financial responsibility (an applicable motor vehicle liability insurance policy or bond was in effect at the time of the accident providing not less than the following amounts for any single accident: \$25,000 for one person, \$50,000 for more than one person and \$10,000 for property damage).

With certain exceptions, failure to provide proof of financial responsibility or a deposit of security after an accident results in revocation of the operator's motor vehicle operating privilege or of the registration of any vehicles registered by the owner of the vehicle involved in the accident. Any revocation continues until the person provides a deposit of security or otherwise clears his or her liability or a year elapses without an action being commenced as a result of the accident. The ownership or registration of any vehicle whose registration is subject to such revocation may not be transferred unless all of the financial responsibility laws have been complied with or the secretary of transportation determines that the transfer is in good faith and is not designed to thwart the financial responsibility laws of this state.

Currently, the registration of any vehicles registered by the owner of a motor vehicle involved in an accident that results in injury, death or property damage of

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\$500 or more may also be revoked for failure to comply with other provisions of the financial responsibility laws of this state. However, there is no corresponding prohibition on transfer of the ownership or registration of such vehicles.

This bill prohibits transfer of the ownership or registration of any vehicle whose registration is subject to revocation under the financial responsibility laws of this state unless all of the financial responsibility laws have been complied with or the secretary of transportation determines that the transfer is in good faith and is not designed to thwart the financial responsibility laws of this state.

Current law requires DOT to revoke the vehicle operating privilege and motor vehicle registrations of any person who is involved in a motor vehicle accident and who, within 30 days after a court judgment that requires the person to pay to another person (the “judgment creditor”) more than \$500 for damages arising out of a motor vehicle accident, either fails to satisfy the judgment against the person or fails to appeal the judgment. However, if the judgment creditor consents, DOT may allow the person to keep his or her operating privilege and vehicle registrations if the person: 1) provides proof of financial responsibility for the future (proof of the person’s financial ability to pay any damages arising out of a motor vehicle accident in the future); and 2) maintains such proof in effect for three years after the date of the judgment awarding damages.

This bill requires such a person to maintain proof of financial responsibility for the future in effect for three years after the consent agreement between the person and the judgment creditor is filed with DOT, instead of maintaining such proof in effect for three years after the entry of judgment.

Currently, if a person required to pay a judgment in excess of \$500 for damages arising out of a motor vehicle accident obtains a court order allowing payment of the judgment in instalments, DOT may not revoke the person’s operating privilege or vehicle registrations if the person provides proof of financial responsibility for the future. However, the person is not required to provide proof of financial responsibility for the future if three years have elapsed since the entry of the judgment. Under this bill, such a person is not required to provide proof of financial responsibility if three years have elapsed since the date on which the order permitting payment of the judgment in instalments is filed with DOT.

Also under current law, a person whose operating privilege or vehicle registration is revoked for failing to pay such a judgment may not reinstate the person’s operating privilege or vehicle registration unless the person provides and maintains proof of financial responsibility for the future. This requirement does not apply if three years have elapsed since the date of entry of the judgment which was the cause for revocation. Under this bill, the requirement to provide proof of financial responsibility as a condition of reinstatement does not apply if three years have elapsed since the date on which the judgment of monetary damages was satisfied, stayed or discharged.

Under current law, DOT requires certain motor vehicle operators to furnish proof of financial responsibility for the future with respect to any motor vehicle that will be operated by such persons. A vehicle operator may file a certification of insurance as proof of financial responsibility for the future certifying that there is in

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effect a motor vehicle liability policy insuring any motor vehicle that will be operated by such person with the permission of the vehicle owner. These certifications of insurance may also be filed by any motor vehicle owner who is required to furnish proof of financial responsibility for the future but such certifications are limited to any motor vehicle that will be operated by such person with the permission of the vehicle owner.

This bill provides that any motor vehicle owner who is required to file proof of financial responsibility for the future with DOT may file a certification of insurance that certifies that there is in effect a motor vehicle liability policy insuring all motor vehicles owned by such person and all persons who will be operating any such vehicle with the permission of its owner.

Finally, current law allows DOT and local highway authorities to require an applicant for a permit to transport a vehicle of excessive size or weight upon a highway to provide proof of liability insurance for harm or damage caused by transporting the oversize or overweight vehicle. Such proof of insurance is required for an annual permit to transport an oversize mobile home upon a highway.

This bill eliminates the requirement that an applicant for an annual permit to transport an oversize mobile home upon a highway provide proof of liability insurance. DOT and local highway authorities retain the authority to require such insurance for oversize mobile homes whenever DOT or the local highway authority believes such proof of insurance is appropriate.

Other

Current law specifies the location at which a vehicle identification number (VIN) assigned by DOT must be permanently affixed. This bill eliminates the statutory locations and requires DOT by rule to specify the locations for VIN placement.

Current law recognizes a “station wagon” as a distinct vehicle type, but treats that distinct vehicle type as an “automobile”. This bill eliminates “station wagon” as a distinct vehicle type.

Under current law, the operator of a motor vehicle may not pass another motor vehicle within 100 feet of an intersection unless the intersection is marked for two or more lanes of vehicular traffic moving in the same direction or a traffic officer permits the operator to pass at the intersection. Outside of a business or residence district, the operator of a motor vehicle may pass other motor vehicles within 100 feet of an intersection unless the intersection is marked by an official traffic sign or signal.

This bill prohibits the operator of a motor vehicle from passing another motor vehicle within 100 feet of an intersection located outside of a business or residence district if the intersection is marked, in the direction of traffic, by a traffic control signal, stop sign, yield sign or warning sign that warns traffic of existing or potentially hazardous conditions on or adjacent to the roadway.

This bill renumbers the statutory provisions that prohibit making false statements to DOT. It also renumbers the statutory provision requiring an individual who receives a duplicate license or identification card to return to DOT

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the original license or identification card if the original license or identification card is available. The bill does not make any major substantive changes to current law.

Under current law, DOT administers the bicycle and pedestrian facilities program which provides grants to cities, villages, towns and counties to aid in building bicycle and pedestrian facilities. DOT is required to annually award grants based on applications submitted by April 1. This bill eliminates the requirement that DOT award grants annually under the bicycle and pedestrian facilities grant program. It also eliminates the April 1 deadline for submission of grant applications.

For further information, see the NOTES provided by the law revision committee of the joint legislative council.

For further information see the *state and local* 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:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the department of transportation and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of this bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 70.112 (5) of the statutes is amended to read:

2 70.112 (5) MOTOR VEHICLES, BICYCLES, SNOWMOBILES. Every automobile, motor
3 bicycle, motor bus, motorcycle, motor truck, moped, road tractor, school bus,
4 snowmobile, ~~station wagon~~, truck tractor, or other similar motor vehicle, or trailer
5 or semitrailer used in connection therewith.

NOTE: SECTIONS 1, 2, 4 to 7, 9 to 21, 24, 25, 27, 28, 31, 32, 42, 47, 49, 71 to 77 and 79 eliminate the definition of, and references to, station wagons which exist in the statutes. According to DOT, DOT does not distinguish between automobiles and station wagons for registration purposes, so the definition of, and references to, "station wagon" serves no useful purpose and should be deleted.

6 **SECTION 2.** 77.995 of the statutes is amended to read:

7 **77.995 Imposition.** There is imposed a fee at the rate of 3%, or 5% for the
8 rental of limousines, of the gross receipts on the rental, but not for rental and not
9 for rental as a service or repair replacement vehicle of Type 1 automobiles, as defined
10 in s. 340.01 (4) (a); ~~of station wagons, as defined in s. 340.01 (61);~~ of mobile homes,

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1 as defined in s. 340.01 (29); of motor homes, as defined in s. 340.01 (33m); and of
2 camping trailers, as defined in s. 340.01 (6m) by establishments primarily engaged
3 in short-term rental of vehicles without drivers, for a period of 30 days or less, unless
4 the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a). In
5 this section, “limousine” means a passenger automobile that has a capacity of 10 or
6 fewer persons, excluding the driver; that has a minimum of 5 seats behind the driver;
7 that is operated for hire on an hourly basis under a prearranged contract for the
8 transportation of passengers on public roads and highways along a route under the
9 control of the person who hires the vehicle and not over a defined regular route; but
10 “limousine” does not include taxicabs, hotel or airport shuttles or buses, buses
11 employed solely in transporting school children or teachers, vehicles owned and
12 operated without charge or remuneration by a business entity for its own purposes,
13 vehicles used in carpools or vanpools, public agency vehicles that are not operated
14 as a commercial venture, vehicles operated as part of the employment transit
15 assistance program under s. 106.26, ambulances or any vehicle that is used
16 exclusively in the business of funeral directing.

17 **SECTION 3.** 85.024 (2) of the statutes is amended to read:

18 85.024 (2) The department shall administer a bicycle and pedestrian facilities
19 program to award grants of assistance to political subdivisions for the planning,
20 development or construction of bicycle and pedestrian facilities. ~~Annually, the~~ The
21 department shall award from the appropriation under s. 20.395 (2) (nx) grants to
22 political subdivisions under this section. A political subdivision that is awarded a
23 grant under this section shall contribute matching funds equal to at least 25% of the
24 amount awarded under this section. ~~The department shall select grant recipients~~

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1 ~~annually beginning in 1994 from applications submitted to the department on or~~
2 ~~before April 1 of each year.~~

NOTE: This SECTION amends current law to allow DOT to award bicycle and pedestrian facility grants at any time during the calendar year and will eliminate the requirement that for each year's grants, all applications must be submitted on or before April 1 of each year.

3 **SECTION 4.** 340.01 (61) of the statutes is repealed.

4 **SECTION 5.** 341.03 (2) (a) of the statutes is amended to read:

5 341.03 (2) (a) Any person who violates sub. (1), where the vehicle used is an
6 automobile, ~~station wagon~~ or any other vehicle having a gross weight rating of 10,000
7 pounds or less, as determined by the manufacturer of the vehicle, may be required
8 to forfeit not more than \$200.

9 **SECTION 6.** 341.04 (1) (intro.) of the statutes is amended to read:

10 341.04 (1) (intro.) It is unlawful for any person to operate or for an owner to
11 consent to being operated on any highway of this state any motor vehicle, mobile
12 home, trailer or semitrailer or any other vehicle for which a registration fee is
13 specifically prescribed unless at the time of operation the vehicle in question either
14 is registered in this state, or, except for registration under s. 341.30 or 341.305, a
15 complete application for registration, including evidence of any inspection under s.
16 110.20 when required, accompanied by the required fee has been delivered to the
17 department, submitted to a dealer under s. 341.09 (2m) for transmittal to the
18 department or deposited in the mail properly addressed with postage prepaid and,
19 if the vehicle is an automobile, ~~station wagon~~ or motor truck having a registered
20 weight of 8,000 pounds or less, the vehicle displays a temporary operation plate
21 issued for the vehicle unless the operator or owner of the vehicle produces proof that
22 operation of the vehicle is within 2 business days of the vehicle's sale or transfer, or
23 the vehicle in question is exempt from registration.

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1 **SECTION 7.** 341.04 (3) (a) of the statutes is amended to read:

2 341.04 **(3)** (a) Any person who violates sub. (1) or (2), where the vehicle used
3 is an automobile, ~~station wagon~~, or any other vehicle having a gross vehicle weight
4 rating of 10,000 pounds or less, as determined by the manufacturer of the vehicle,
5 may be required to forfeit not more than \$200.

6 **SECTION 8.** 341.06 (1) (am) of the statutes is amended to read:

7 341.06 **(1)** (am) A trailer or semitrailer or camping trailer having a gross weight
8 of 3,000 pounds or less and not used for hire or rental. The registration fee charged
9 under this paragraph shall be the same as if the trailer or semitrailer were to be used
10 ~~for hire or rental~~ the fee under s. 341.25 (1) (gd).

NOTE: Under current s. 341.06 (1) (am), stats., a person may register a trailer or semitrailer or camping trailer that has a gross weight of 3,000 pounds or less and is not used for hire or rental. The registration fee is the same as if it were to be used for hire or rental. Under s. 341.25 (1) (gd), stats., for each trailer or semitrailer or camping trailer that has a gross weight of 3,000 pounds or less and is used for hire or rental, the fee is 1/2 of the fee prescribed for a motor truck of the same weight. Also, under s. 341.308, stats., the owner of a fleet of 100 or more trailers each having a gross weight of 4,500 pounds or less and used for hire or rental may register the trailers for a 6-year period ending on June 30. This SECTION inserts a cross-reference for s. 341.25 (1) (gd), stats., under which trailers used for hire or rental are registered. This change, combined with the change made to s. 341.308 (2), stats., by SECTION 39, will allow registrations for all 3 categories of trailers to expire on the same date and allow DOT to consolidate small trailer registration plates with large trailer registration plates that expire on December 31. See also the NOTE following SECTION 39.

11 **SECTION 9.** 341.09 (1) (b) of the statutes is amended to read:

12 341.09 **(1)** (b) The department shall specify by rule the size, color, design, form
13 and specifications of temporary operation plates issued under sub. (2m) or (9) for an
14 automobile, ~~station wagon~~ or motor truck having a registered weight of 8,000 pounds
15 or less, and the system to be used to identify the date of issuance of such plates. All
16 temporary operation plates issued under sub. (2m) or (9) for an automobile, ~~station~~
17 ~~wagon~~ or motor truck having a registered weight of 8,000 pounds or less shall contain
18 a registration number composed of letters or numbers.

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1 **SECTION 10.** 341.09 (2) (g) of the statutes is amended to read:

2 341.09 **(2)** (g) A temporary operation plate may not be issued under this
3 subsection to a state resident for use on an automobile, ~~station wagon~~ or motor truck
4 having a registered weight of 8,000 pounds or less.

5 **SECTION 11.** 341.09 (2m) (a) 1. b. of the statutes is amended to read:

6 341.09 **(2m)** (a) 1. b. A state resident who purchases or leases an automobile,
7 ~~station wagon~~ or motor truck having a registered weight of 8,000 pounds or less from
8 a person other than the dealer for use on such vehicle if the state resident submits
9 to the dealer a complete application for registration of the vehicle, including evidence
10 of any inspection under s. 110.20 when required, and for a new certificate of title for
11 ~~the~~ a purchased vehicle, together with a check or money order made payable to the
12 department for all applicable title, registration, security interest and sales tax
13 moneys, for transmittal to the department by the dealer.

NOTE: SECTIONS 11 and 12 apply the same provisions in current law regarding motor vehicle dealer issuance of temporary license plates to leased vehicles, as well as to purchased vehicles. According to DOT, these changes reflect the current prevalence of vehicle leasing arrangements. See also the NOTE following SECTION 1.

14 **SECTION 12.** 341.09 (2m) (a) 2. of the statutes is amended to read:

15 341.09 **(2m)** (a) 2. Notwithstanding subd. 1., the department shall issue a
16 sufficient number of temporary operation plates without charge to each dealer
17 licensed in this state for issuance under this subdivision. Each dealer shall issue a
18 temporary operation plate without charge to any state resident who purchases or
19 leases from the dealer an automobile, ~~station wagon~~ or motor truck having a
20 registered weight of 8,000 pounds or less, for use on such vehicle if the state resident
21 submits to the dealer a complete application for registration of the vehicle, including
22 evidence of inspection under s. 110.20 when required, and for a new certificate of title
23 for ~~the~~ a purchased vehicle, together with a check or money order made payable to

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1 the department for all applicable title, registration, security interest and sales tax
2 moneys, for transmittal to the department by the dealer.

3 **SECTION 13.** 341.09 (9) of the statutes is amended to read:

4 341.09 (9) Notwithstanding any other provision of this section, the department
5 shall issue a temporary operation plate without charge for an automobile, ~~station~~
6 ~~wagon~~ or motor truck having a registered weight of 8,000 pounds or less upon receipt
7 of a complete application accompanied by the required fee for registration of the
8 vehicle, including evidence of any inspection under s. 110.20 when required, if the
9 department does not immediately issue the regular registration plates for the vehicle
10 and the department determines that the applicant has not otherwise been issued a
11 temporary operation plate under this section.

12 **SECTION 14.** 341.14 (1) of the statutes is amended to read:

13 341.14 (1) If any resident of this state who is registering or has registered an
14 automobile ~~or station wagon~~, or a motor truck, dual purpose motor home or dual
15 purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm
16 truck which has a gross weight of not more than 12,000 pounds or a motor home
17 submits a statement once every 4 years, as determined by the department, from the
18 U.S. department of veterans affairs certifying to the department that the resident
19 is, by reason of injuries sustained while in the active U.S. military service, a person
20 with a disability that limits or impairs the ability to walk, the department shall
21 procure, issue and deliver to the veteran, plates of a special design in lieu of the plates
22 which ordinarily would be issued for the vehicle, and shall renew the plates. The
23 plates shall have a light blue background except for a white border not to exceed one
24 inch at top and bottom, and blue lettering, except that the word "VET" and the
25 identifying number shown on the plates shall be colored red. The plates shall be so

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1 designed as to readily apprise law enforcement officers of the fact that the vehicle is
2 owned by a disabled veteran and is entitled to the parking privileges specified in s.
3 346.50 (2). No charge in addition to the registration fee shall be made for the issuance
4 or renewal of such plates.

5 **SECTION 15.** 341.14 (1a) of the statutes, as affected by 1997 Wisconsin Act 67,
6 is amended to read:

7 341.14 (1a) If any resident of this state, who is registering or has registered an
8 automobile ~~or station wagon~~, or a motor truck, dual purpose motor home or dual
9 purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm
10 truck which has a gross weight of not more than 12,000 pounds or a motor home,
11 submits a statement once every 4 years, as determined by the department, from a
12 physician licensed to practice medicine in any state, from an advanced practice nurse
13 licensed to practice nursing in any state, from a physician assistant licensed or
14 certified to practice in any state, from a chiropractor licensed to practice chiropractic
15 in any state or from a Christian Science practitioner residing in this state and listed
16 in the Christian Science journal certifying to the department that the resident is a
17 person with a disability that limits or impairs the ability to walk, the department
18 shall procure, issue and deliver to the disabled person plates of a special design in
19 lieu of plates which ordinarily would be issued for the vehicle, and shall renew the
20 plates. The plates shall be so designed as to readily apprise law enforcement officers
21 of the fact that the vehicle is owned by a nonveteran disabled person and is entitled
22 to the parking privileges specified in s. 346.50 (2a). No charge in addition to the
23 registration fee shall be made for the issuance or renewal of such plates.

24 **SECTION 16.** 341.14 (1m) of the statutes, as affected by 1997 Wisconsin Act 67,
25 is amended to read:

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1 **341.14 (1m)** If any licensed driver submits to the department a statement once
2 every 4 years, as determined by the department, from a physician licensed to practice
3 medicine in any state, from an advanced practice nurse licensed to practice nursing
4 in any state, from a physician assistant licensed or certified to practice in any state,
5 from a chiropractor licensed to practice chiropractic in any state or from a Christian
6 Science practitioner residing in this state and listed in the Christian Science journal
7 certifying that another person who is regularly dependent on the licensed driver for
8 transportation is a person with a disability that limits or impairs the ability to walk,
9 the department shall issue and deliver to the licensed driver plates of a special design
10 in lieu of the plates which ordinarily would be issued for the automobile ~~or station~~
11 ~~wagon~~, or motor truck, dual purpose motor home or dual purpose farm truck having
12 a gross weight of not more than 8,000 pounds, farm truck having a gross weight of
13 not more than 12,000 pounds or motor home, and shall renew the plates. The plates
14 shall be so designed as to readily apprise law enforcement officers of the fact that the
15 vehicle is operated by a licensed driver on whom a disabled person is regularly
16 dependent and is entitled to the parking privileges specified in s. 346.50 (2a). No
17 charge in addition to the registration fee may be made for the issuance or renewal
18 of the plates. The plates shall conform to the plates required in sub. (1a).

19 **SECTION 17.** 341.14 (1q) of the statutes, as affected by 1997 Wisconsin Act 67,
20 is amended to read:

21 **341.14 (1q)** If any employer who provides an automobile ~~or station wagon~~, or
22 a motor truck, dual purpose motor home or dual purpose farm truck which has a
23 gross weight of not more than 8,000 pounds, a farm truck which has a gross weight
24 of not more than 12,000 pounds or a motor home, for an employe's use submits to the
25 department a statement once every 4 years, as determined by the department, from

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1 a physician licensed to practice medicine in any state, from an advanced practice
2 nurse licensed to practice nursing in any state, from a physician assistant licensed
3 or certified to practice in any state, from a chiropractor licensed to practice
4 chiropractic in any state or from a Christian Science practitioner residing in this
5 state and listed in the Christian Science journal certifying that the employe is a
6 person with a disability that limits or impairs the ability to walk, the department
7 shall issue and deliver to such employer plates of a special design in lieu of the plates
8 which ordinarily would be issued for the vehicle, and shall renew the plates. The
9 plates shall be so designed as to readily apprise law enforcement officers of the fact
10 that the vehicle is operated by a disabled person and is entitled to the parking
11 privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may
12 be made for the issuance or renewal of the plates. The plates shall conform to the
13 plates required in sub. (1a).

14 **SECTION 18.** 341.14 (1r) (a) of the statutes is amended to read:

15 341.14 (1r) (a) If any resident of this state who is registering or has registered
16 an automobile or ~~station wagon~~, or a motor truck, dual purpose motor home or dual
17 purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm
18 truck which has a gross weight of not more than 12,000 pounds or a motor home
19 submits a statement once every 4 years, as determined by the department, certifying
20 to the department that the vehicle is leased to a person who qualifies for special
21 plates under sub. (1) or (1a) together with the information required under sub. (1)
22 or (1a), the department shall issue and deliver to the resident, plates of the
23 appropriate special design under sub. (1) or (1a) in lieu of the plates which ordinarily
24 would be issued for the vehicle, and shall renew the plates. No charge in addition
25 to the registration fee shall be made for the issuance or renewal of the plates. No

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1 plates may be issued and delivered to a resident under this paragraph on or after
2 January 1, 1998.

3 **SECTION 19.** 341.14 (2) of the statutes is amended to read:

4 341.14 (2) Upon compliance with the laws relating to registration of
5 automobiles, ~~station wagons~~ and motor homes; motor trucks, dual purpose motor
6 homes and dual purpose farm trucks which have a gross weight of not more than
7 8,000 pounds; and farm trucks which have a gross weight of not more than 12,000
8 pounds, including payment of the prescribed registration fees therefor plus an
9 additional fee of \$10 when registration plates are issued accompanied by an
10 application showing satisfactory proof that the applicant is the holder of an
11 unexpired amateur radio station license issued by the federal communications
12 commission, the department shall issue registration plates on which, in lieu of the
13 usual registration number, shall be inscribed in large legible form the call letters of
14 such applicant as assigned by the federal communications commission. The fee for
15 reissuance of a plate under this subsection shall be \$10.

16 **SECTION 20.** 341.14 (6) (a) of the statutes is amended to read:

17 341.14 (6) (a) Upon application to register an automobile ~~or station wagon~~ or
18 a motor truck or dual purpose farm truck which has a gross weight of not more than
19 8,000 pounds by any person who was a member of any of the U.S. armed services and
20 who was held as a prisoner of war during any of the conflicts described in s. 45.35 (5)
21 (e) 2. to 8. or in Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle East crisis
22 under s. 45.34, and upon submission of a statement from the U.S. department of
23 veterans affairs certifying that the person was a prisoner of war during one of the
24 conflicts described in s. 45.35 (5) (e) 2. to 8. or in Bosnia, Grenada, Lebanon, Panama,
25 Somalia or a Middle East crisis under s. 45.34, the department shall issue to the

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1 person a special plate which is colored red, white and blue and which has the words
2 “ex-prisoner of war” placed on the plate in the manner designated by the
3 department.

4 **SECTION 21.** 341.14 (6m) (a) of the statutes is amended to read:

5 341.14 **(6m)** (a) Upon application to register an automobile, ~~station wagon~~ or
6 motor truck which has a gross weight of not more than 8,000 pounds by any person
7 who is a resident of this state and a member or retired member of the national guard,
8 the department shall issue to the person special plates whose colors and design shall
9 be determined by the department, after consultation with the adjutant general, and
10 which have the words “Wisconsin guard member” placed on the plates in the manner
11 designated by the department. An additional fee of \$10 shall be charged for the
12 issuance of the plates. Registration plates issued under this subsection shall expire
13 annually.

14 **SECTION 22.** 341.14 (6m) (b) (intro.) and 1. of the statutes are consolidated,
15 renumbered 341.14 (6m) (b) and amended to read:

16 341.14 **(6m)** (b) Except as provided in par. (c), if an individual in possession of
17 special plates under this subsection or of personalized plates under s. 341.145 (1) (b)
18 does not maintain membership in the national guard during a year which is not a
19 plate issuance year, the individual shall ~~do all of the following:~~ 1. Dispose
20 of the special plates in a manner prescribed by the department.

NOTE: SECTIONS 22, 23, 26 and 30 eliminate the \$4 replacement fee that is charged when someone who is no longer eligible for certain special group plates reregisters a vehicle to a regular plate. These changes correspond to the changes in SECTIONS 36 to 38, 40 and 41 of the bill that eliminate the provisions in current law which prohibit the owner of an automobile that is being registered with DOT from receiving credit for the unused portion of another automobile's registration or transferring the automobile's license plates to the automobile that is being registered, if these credit or plate transfer provisions have applied, within the previous 12-month period, to the automobile that is being registered.

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1 **SECTION 23.** 341.14 (6m) (b) 2. of the statutes is repealed.

2 **SECTION 24.** 341.14 (6r) (b) 1. of the statutes is amended to read:

3 341.14 **(6r)** (b) 1. Upon application to register an automobile, ~~station wagon~~ or
4 motor home, or a motor truck, dual purpose motor home or dual purpose farm truck
5 which has a gross weight of not more than 8,000 pounds, or a farm truck which has
6 a gross weight of not more than 12,000 pounds, by any person who is a resident of
7 this state and a member of an authorized special group, the department shall issue
8 to the person special plates whose colors and design shall indicate that the vehicle
9 is owned by a person who is a member of the applicable special group.

10 **SECTION 25.** 341.14 (6r) (bg) 1. of the statutes is amended to read:

11 341.14 **(6r)** (bg) 1. Upon application to register an automobile, ~~station wagon~~
12 or motor home, or a motor truck, dual purpose motor home or dual purpose farm
13 truck which has a gross weight of not more than 8,000 pounds, or a farm truck which
14 has a gross weight of not more than 12,000 pounds, by any person who is a resident
15 of this state and a member of the authorized special group under par. (f) 52., the
16 department shall issue to the person special plates whose colors and design shall
17 indicate that the vehicle is owned by a person who is a member of that special group.

18 **SECTION 26.** 341.14 (6r) (g) of the statutes is repealed and recreated to read:

19 341.14 **(6r)** (g) If an individual in possession of special plates under par. (f) 33.,
20 34. or 48. or of personalized plates under s. 341.145 (1) (c) of the same color and design
21 as special plates under par. (f) 33., 34. or 48. does not maintain membership in the
22 applicable authorized special group during a year that is not a plate issuance year,
23 the individual shall dispose of the special plates in a manner prescribed by the
24 department.

25 **SECTION 27.** 341.145 (1) (a) of the statutes is amended to read:

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1 341.145 (1) (a) A registration plate for an owned automobile ~~or station wagon~~
2 or a motor home registered for an annual registration period under s. 341.29 or
3 341.295 or a motorcycle or a motor truck, dual purpose motor home or dual purpose
4 farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck
5 which has a gross weight of not more than 12,000 pounds, which displays a
6 registration number composed of letters or numbers, or both, requested by the
7 applicant. Personalized registration plates under this paragraph shall be of the
8 same color and design as regular registration plates and shall consist of numbers or
9 letters, or both, not exceeding 5 positions and not less than one position for a plate
10 issued for a motorcycle or not exceeding 7 positions and not less than one position for
11 all other plates.

12 **SECTION 28.** 341.145 (1) (b) of the statutes is amended to read:

13 341.145 (1) (b) A registration plate of the same color and design as provided in
14 s. 341.14 (6m) for an owned automobile, ~~station wagon~~ or motor truck having a gross
15 weight of not more than 8,000 pounds, which displays a registration number
16 composed of letters or numbers, or both, not exceeding 7 positions and not less than
17 one position, requested by the applicant.

18 **SECTION 29.** 341.145 (2) (a) of the statutes is amended to read:

19 341.145 (2) (a) The request and alternative thereto is received by the
20 department in writing ~~by mail~~ by the 15th day of the month in which the vehicle is
21 to be registered;

NOTE: This SECTION eliminates the requirement that personalized license plates be applied for by mail. According to DOT, it was necessary to have this application-by-mail requirement at the inception of the personalized license plate program because of the competition for certain popular plate messages. However, because most of the plate messages in great demand have already been issued, and because DOT has routinized the application process, this requirement is no longer necessary.

22 **SECTION 30.** 341.145 (5) of the statutes is repealed and recreated to read:

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1 341.145 (5) If an individual in possession of a personalized registration plate
2 does not maintain the personalized registration plate under sub. (3) during a year
3 that is not a plate issuance year, the individual shall dispose of the personalized plate
4 in a manner prescribed by the department.

5 **SECTION 31.** 341.25 (1) (a) of the statutes is amended to read:

6 341.25 (1) (a) For each automobile ~~or station wagon~~, a fee of \$45, except that
7 an automobile registered in this state prior to September 1, 1947, at a fee of less than
8 \$18 shall be registered at such lesser fee plus an additional fee of \$2.

9 **SECTION 32.** 341.26 (7) (b) of the statutes is amended to read:

10 341.26 (7) (b) When engaged in passenger-carrying operations other than as
11 provided in par. (a) or sub. (2) (d), a school bus shall be registered as a motor bus at
12 a fee determined under s. 341.25 (2), or as an automobile ~~or station wagon~~ at the fee
13 provided in s. 341.25 (1) (a). Fees for registration under s. 341.25 (2) may be paid in
14 accordance with ss. 341.30 and 341.31. Fees for part-quarterly registration shall be
15 computed on the basis of one-twelfth of the annual fee multiplied by the number of
16 months of the current quarter which have not fully expired on the date of the
17 application. If a vehicle was not operated in other than school bus service, a
18 statement of nonoperation satisfactory to the department shall be filed with the
19 application.

20 **SECTION 33.** 341.264 (1) and (2) (a) of the statutes are amended to read:

21 341.264 (1) Upon application and payment of a fee of \$50, the department shall
22 register a semitrailer which is operated in connection with a truck tractor or hauled
23 by a motor vehicle and used with a device which converts the semitrailer to a trailer.
24 ~~Except for a semitrailer registered under sub. (3), registration~~ Registration under
25 this section is valid without the payment of any additional fee while the registrant

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1 is the owner of the semitrailer and, with respect to the sale of a leased semitrailer
2 to the lessee of the semitrailer, while the former lessee is the owner of the semitrailer
3 if the lessee reimbursed the lessor of the semitrailer at the time of registration of the
4 semitrailer for payment of the registration fee under this subsection. The
5 department shall issue a permanent semitrailer registration plate to evidence
6 registration under this subsection.

7 **(2)** (a) Upon the sale of a semitrailer registered under this section, the seller
8 shall remove the registration plate and destroy it. The purchaser shall immediately
9 apply for registration and pay the full applicable fee prescribed in sub. (1) ~~or~~
10 ~~established under sub. (3)~~. This paragraph does not apply to the sale of a leased
11 semitrailer to a lessee eligible to maintain permanent registration of the semitrailer
12 under sub. (1).

NOTE: SECTIONS 33, 34 and 43 provide that current 12-year plates for semitrailers issued under the international registration plan (IRP) would no longer be issued. Instead, these provisions permit DOT to register semitrailers under the IRP and to issue base plates for each semitrailer registered under the IRP. According to DOT, motor carriers who operate in California who must have an IRP trailer plate would have the permanent semitrailer plate if these provisions were adopted, rather than the current plate which is renewed every 12 years.

13 **SECTION 34.** 341.264 (3) of the statutes is repealed.

14 **SECTION 35.** 341.27 (3) (a) of the statutes is repealed and recreated to read:

15 341.27 **(3)** (a) If the applicant holds current registration plates that were
16 removed from an automobile that the applicant no longer owns or that has been
17 junked, is no longer used on the highways or has been registered as a special interest
18 vehicle under s. 341.266 (2) (a) or a reconstructed, replica, street modified or
19 homemade vehicle under s. 341.268 (2) (a), and the plates were issued under the
20 system of registration prescribed by this section, the department shall register the

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1 automobile which is the subject of the application for the remainder of the unexpired
2 registration period.

NOTE: This SECTION provides that DOT must register certain automobiles for the remainder of an unexpired registration period if the application is for the reregistration of certain automobiles.

3 **SECTION 36.** 341.28 (2) (c) of the statutes is repealed.

NOTE: SECTIONS 36 to 38, 40 and 41 repeal provisions that prohibit transfer of plates or registration credit to a vehicle if it has already been involved in a transfer or credit within the last 12 months. According to DOT, this prohibition was originally established to deter the abuse of license plate transfer provisions, but DOT has found this type of abuse to be rare. Therefore, the prohibition is no longer needed.

4 **SECTION 37.** 341.28 (4) (c) of the statutes is amended to read:

5 341.28 (4) (c) The automobile is owned by a person who has been in active
6 military service and less than 12 months of nonoperation have elapsed since the end
7 of the period for which the automobile was previously registered, provided the
8 applicant files with the department a statement of such nonoperation; ~~or.~~

9 **SECTION 38.** 341.28 (4) (d) of the statutes is repealed.

10 **SECTION 39.** 341.308 (2) of the statutes is amended to read:

11 341.308 (2) The registration of trailers under this section shall be valid for a
12 6-year period and shall expire on June 30. Upon receipt of an application and the
13 initial registration fees under sub. (3), the department shall issue a registration plate
14 for each trailer. The registration of trailers added to the fleet during the 6-year
15 registration period shall expire on the expiration date of the original fleet
16 registration. If trailers are removed from the fleet during the 6-year registration
17 period, the fleet owner shall dispose of the plates in the manner prescribed by the
18 department.

NOTE: This SECTION deletes the June 30 registration expiration date for fleets or small trailers which will allow all trailer registrations to expire on the same date. See also the NOTE following SECTION 8.

19 **SECTION 40.** 341.31 (1) (b) 7. of the statutes is repealed.

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1 **SECTION 41.** 341.31 (6) of the statutes is repealed.

2 **SECTION 42.** 341.35 (1) of the statutes is amended to read:

3 341.35 (1) ANNUAL REGISTRATION FEE. In this section “municipality” means a
4 town, village or city and “motor vehicle” means an automobile ~~or station wagon~~ or
5 motor truck registered under s. 341.25 (1) (c) at a gross weight of not more than 8,000
6 pounds. The governing body of a municipality or county may enact an ordinance
7 imposing an annual flat municipal or county registration fee on all motor vehicles
8 registered in this state which are customarily kept in the municipality or county. A
9 registration fee imposed under this section shall be in addition to state registration
10 fees.

11 **SECTION 43.** 341.405 (2m) of the statutes is created to read:

12 341.405 (2m) The department may register semitrailers under the
13 international registration plan. The department may establish a fee for registration
14 under this subsection based on administrative cost.

15 **SECTION 44.** 342.06 (1) (b) of the statutes is amended to read:

16 342.06 (1) (b) A description of the vehicle, including make, ~~model~~, identification
17 number and any other information or documentation that the department may
18 reasonably require for proper identification of the vehicle or for determination of the
19 mileage of the vehicle as disclosed by prior transferors.

NOTE: SECTIONS 44 and 45 eliminate the requirement that the vehicle title include a description of the model of the vehicle. According to DOT, the model name included on the title is currently abbreviated to 3 characters, and the system of abbreviation used by DOT causes confusion among vehicle title holders. According to DOT, because the vehicle model information is stored in DOT's database and is available through on-line inquiry, it is not necessary to show this information on the title document.

20 **SECTION 45.** 342.10 (1) (d) of the statutes is amended to read:

21 342.10 (1) (d) A description of the vehicle, including make, ~~model~~ and
22 identification number.

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1 **SECTION 46.** 342.14 (9) of the statutes is repealed.

NOTE: This SECTION repeals the \$4 transfer fee for the transfer of registration or credits for registration to a vehicle currently titled in the name of the applicant.

2 **SECTION 47.** 342.15 (4) (a) of the statutes is amended to read:

3 342.15 (4) (a) If the vehicle being transferred is a motorcycle or an automobile
4 ~~or station wagon~~ registered under s. 341.27 or a motor home or a motor truck, dual
5 purpose motor home or dual purpose farm truck which has a gross weight of not more
6 than 8,000 pounds or a farm truck which has a gross weight of not more than 12,000
7 pounds, the owner shall remove the registration plates and retain and preserve them
8 for use on any other vehicle of the same type and gross weight which may
9 subsequently be registered in his or her name.

10 **SECTION 48.** 342.30 (2) of the statutes is amended to read:

11 342.30 (2) ~~An Except as provided in this subsection, an identification number~~
12 ~~assigned by the department to a mobile home, trailer or semitrailer shall be stamped~~
13 ~~upon the frame in a readily visible location. An identification number assigned to~~
14 ~~a motor vehicle manufactured prior to January 1, 1969, shall be permanently affixed~~
15 ~~to a location on the left front pillar. The vehicle identification number for motor~~
16 ~~vehicles manufactured after January 1, 1969, shall be permanently affixed upon~~
17 ~~either a part of the vehicle that is not designed to be removed except for repair, or a~~
18 ~~separate plate which is permanently affixed to such part. The vehicle identification~~
19 ~~number shall be located inside the passenger compartment and shall be readable,~~
20 ~~without moving any part of the vehicle, through the vehicle glazing under daylight~~
21 ~~lighting conditions by an observer having 20/20 vision (Snellen) whose eyepoint is~~
22 ~~located outside the vehicle adjacent to the left windshield pillar that is readily visible~~
23 ~~when observed from outside the vehicle, as specified by the department by rule.~~

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1 Identification numbers assigned for cycles shall be stamped on the left side, near the
2 top of the engine casting just below the cylinder barrel. Such stamping or affixing
3 shall be done under the supervision of a dealer, distributor or manufacturer
4 registered under s. 341.51 or under the supervision of a peace officer. The person
5 supervising the stamping or affixing shall make a report thereof to the department.

NOTE: This SECTION deletes the requirement that the vehicle identification number be permanently affixed to specific vehicle locations, and instead provides that it shall be permanently affixed to a readily visible location on the vehicle when observed from outside the vehicle, as specified by the department by rule. According to DOT, it is not always practicable to place the vehicle identification number inside the windshield, for example, without removing the windshield. DOT has already established a policy, which allows vehicle identification numbers to be placed in other visible locations. However, some vehicle owners have received citations for improper placement of the identification number because the statute still provides for specific locations. Therefore, DOT states that this change will be more workable and will eliminate confusion that currently exists among law enforcement personnel.

6 **SECTION 49.** 342.34 (1) (c) of the statutes is amended to read:

7 342.34 (1) (c) If the vehicle is a motorcycle or an automobile ~~or station wagon~~
8 registered under s. 341.27 or a motor home or a motor truck, dual purpose motor
9 home or dual purpose farm truck which has a gross weight of not more than 8,000
10 pounds or a farm truck which has a gross weight of not more than 12,000 pounds, the
11 owner shall remove the registration plates and retain and preserve them for use on
12 any other vehicle of the same type which may subsequently be registered in his or
13 her name. If the vehicle is not a motorcycle or an automobile ~~or station wagon~~
14 registered under s. 341.27, or a motor home or a motor truck, dual purpose motor
15 home or dual purpose farm truck which has a gross weight of not more than 8,000
16 pounds or a farm truck which has a gross weight of not more than 12,000 pounds, he
17 or she shall remove and destroy the plates.

18 **SECTION 50.** 343.14 (5) of the statutes is renumbered 343.14 (5) (intro.) and
19 amended to read:

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1 343.14 (5) (intro.) ~~Any~~ No person who ~~uses~~ may use a false or fictitious name
2 ~~in any application for a license or identification card or knowingly makes~~ make a
3 false statement or knowingly ~~conceals~~ conceal a material fact or otherwise ~~commits~~
4 commit a fraud in an application for any such application ~~may be fined not more than~~
5 \$1,000 or imprisoned for not more than 6 months or both. of the following:

NOTE: SECTIONS 50 to 53, while making no substantive changes, reorganizes s. 343.14 (5), stats., which provides that any person who uses a false or fictitious name, knowingly makes a false statement, conceals a material fact or commits fraud in an application for a license or identification card may be fined not more than \$1,000 or imprisoned for not more than 6 months, or both.

6 **SECTION 51.** 343.14 (5) (a) of the statutes is created to read:

7 343.14 (5) (a) A license.

8 **SECTION 52.** 343.14 (5) (b) of the statutes is created to read:

9 343.14 (5) (b) An identification card.

10 **SECTION 53.** 343.14 (9) of the statutes is created to read:

11 343.14 (9) Any person who violates sub. (5) may be fined not more than \$1,000
12 or imprisoned for not more than 6 months or both.

13 **SECTION 54.** 343.19 (2) of the statutes is renumbered 343.19 (2) (intro.) and
14 amended to read:

15 343.19 (2) (intro.) ~~Any~~ No person who may knowingly makes make a false
16 ~~statement in an application for a duplicate license or identification card or who fails~~
17 fail to return the original license or identification card to the department upon
18 finding it or ~~who fails~~ fail to comply with any other requirement of this section ~~may~~
19 ~~be fined not more than \$1,000 or imprisoned for not more than 6 months or both.~~
20 relating to an application for any of the following:

NOTE: SECTIONS 54 to 57, while making no substantive changes, reorganizes s. 343.19, stats., which provides that any person who knowingly makes a false statement in an application for duplicate license or identification card or fails to return the original license or identification card to DOT upon finding it or who fails to comply with any other

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requirement of s. 343.19, stats., relating to an application for a duplicate license or identification card may be fined not more than \$1,000 or imprisoned for not more than 6 months, or both.

1 **SECTION 55.** 343.19 (2) (a) of the statutes is created to read:

2 343.19 **(2)** (a) A duplicate license.

3 **SECTION 56.** 343.19 (2) (b) of the statutes is created to read:

4 343.19 **(2)** (b) A duplicate identification card.

5 **SECTION 57.** 343.19 (4) of the statutes is created to read:

6 343.19 **(4)** Any person who violates sub. (2) may be fined not more than \$1,000
7 or imprisoned for not more than 6 months or both.

8 **SECTION 58.** 343.50 (4) of the statutes is amended to read:

9 343.50 **(4)** APPLICATION. The application for an identification card shall include
10 the information required under s. 343.14 (2) (a) and (b) and (2m), such further
11 information as the department may reasonably require to enable it to determine
12 whether the applicant is entitled by law to an identification card and, for applicants
13 who are aged 65 years or older, material, as provided by the department, explaining
14 the voluntary program that is specified in s. 71.55 (10) (b). The department shall,
15 as part of the application process, take a photograph of the applicant to comply with
16 sub. (3). No application may be processed without the photograph being taken.
17 Misrepresentations are in violation of s. 343.14 (5) are punishable as provided in s.
18 343.14 ~~(5)~~ (9).

NOTE: This SECTION clarifies that misrepresentations in applications for identification cards under s. 343.50, stats., are in violation of s. 343.14 (5), stats., and are punishable as provided in s. 343.14 (9), stats.

19 **SECTION 59.** 344.25 (2) of the statutes is amended to read:

20 344.25 **(2)** If the judgment creditor consents in writing in such form as the
21 secretary may prescribe that the judgment debtor be allowed to retain or reinstate

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1 the operating privilege and registrations, the same may be allowed by the secretary
2 for 6 months from the date of such consent and thereafter until such consent is
3 revoked in writing, notwithstanding default in the payment of such judgment or of
4 any instalments thereof as prescribed in s. 344.27, provided the judgment debtor
5 furnishes proof of financial responsibility for the future and maintains such proof at
6 all times when such license and registrations are in effect during a period of 3 years
7 following the entry of the judgment date on which the agreement is filed with the
8 secretary.

NOTE: SECTIONS 59 to 61 change the requirements for the filing of proof of financial responsibility for the future for the reinstatement of an operating privilege which is revoked due to a judgment for damages having been entered against a motor vehicle operator. Currently, filing proof of financial responsibility for damage judgment revocations is required for 3 years following the entry of the judgment. According to DOT, these changes will make the proof of financial responsibility filing requirement for damage judgment revocations consistent with all other operating privilege revocations and will help ensure that the person is financially responsible prior to reinstatement of the driving privilege.

9 **SECTION 60.** 344.26 (1) of the statutes is amended to read:

10 344.26 (1) Subject to the exceptions stated in ss. 344.25 (2) and 344.27 (2), any
11 operating privilege or registration revoked pursuant to s. 344.25 shall remain
12 revoked until every judgment mentioned in s. 344.25 is stayed, satisfied or
13 discharged and, unless 3 years have elapsed since the date of ~~entry of the judgment~~
14 which was the cause for revocation on which the judgment was stayed, satisfied or
15 discharged, until the person whose operating privilege and registration was revoked
16 furnishes proof of financial responsibility for the future and maintains such proof at
17 all times during such 3-year period when the operating privilege or registration is
18 in effect.

19 **SECTION 61.** 344.27 (2) of the statutes is amended to read:

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1 344.27 (2) The secretary shall not revoke the operating privilege or registration
2 and shall restore any operating privilege or registration revoked following
3 nonpayment of a judgment when the judgment debtor obtains such order permitting
4 the payment of the judgment in instalments and, unless 3 years have elapsed since
5 the entry of judgment date on which the order permitting the payment of the
6 judgment in instalments is filed with the secretary, furnishes and maintains proof
7 of financial responsibility for the future.

8 **SECTION 62.** 344.31 of the statutes is amended to read:

9 **344.31 Certification of insurance as proof.** Proof of financial responsibility
10 for the future may be furnished by filing with the secretary the written certification
11 of any insurer duly authorized to do business in this state that there is in effect a
12 motor vehicle liability policy for the benefit of the person required to furnish proof
13 of financial responsibility or by transmitting such certification to the secretary by
14 another means approved by the secretary. Such certification shall give the effective
15 date of such motor vehicle liability policy, which date shall be the same as the
16 effective date of the certification and shall certify coverage for any motor vehicle
17 operated by the named insured if the certification is required to be furnished by a
18 vehicle operator or coverage for any motor vehicle owned by the named insured if the
19 certification is required to be furnished by a vehicle owner.

NOTE: SECTIONS 62 and 63 amend current law regarding the required filing of proof of financial responsibility for the future to require vehicle owners, and not just vehicle operators, to file this proof. 1991 Wisconsin Act 269 made significant changes to Wisconsin's safety responsibility law. One of these changes required vehicle owners to file proof of financial responsibility before reinstatement of suspended or revoked vehicle registrations. This change was not carried over to the statutes requiring the filing of proof of financial responsibility for the future, and these SECTIONS make that change.

20 **SECTION 63.** 344.33 (2) of the statutes is amended to read:

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1 344.33 **(2)** MOTOR VEHICLE LIABILITY POLICY. A motor vehicle policy of liability
2 insurance shall insure the person named therein using any motor vehicle with the
3 express or implied permission of the owner, or shall insure any motor vehicle owned
4 by the named insured and any person using such motor vehicle with the express or
5 implied permission of the named insured, against loss from the liability imposed by
6 law for damages arising out of the maintenance or use of the motor vehicle within
7 the United States of America or the Dominion of Canada, subject to the limits
8 exclusive of interest and costs, with respect to each such motor vehicle as follows:
9 \$25,000 because of bodily injury to or death of one person in any one accident and,
10 subject to such limit for one person, \$50,000 because of bodily injury to or death of
11 2 or more persons in any one accident, and \$10,000 because of injury to or destruction
12 of property of others in any one accident.

13 **SECTION 64.** 344.46 (1) of the statutes is amended to read:

14 344.46 **(1)** No owner of a motor vehicle involved in an accident in this state
15 which is reportable under s. 346.70 shall transfer the ownership or registration of
16 any vehicle whose registration is subject to revocation under s. ~~344.14~~ until this
17 chapter until all of the applicable provisions of this chapter has been complied with
18 or until the secretary is satisfied that such transfer is proposed in good faith and not
19 for the purpose or with the effect of defeating the purposes of this chapter.

NOTE: This SECTION deletes the reference to s. 344.14, stats., to make s. 344.46 (1),
stats., applicable to all revocations that are made under ch. 344, such as ss. 344.08, 344.14
and 344.25, stats.

20 **SECTION 65.** 345.17 of the statutes is renumbered 345.17 (1) (intro.) and
21 amended to read:

22 345.17 **(1)** (intro.) Unless another civil or criminal penalty is expressly
23 prescribed by law, any no person ~~making~~ may make a false statement to the

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1 department or secretary of ~~said department~~ on which such the department or the
2 secretary relies in performing an act, issuing a duplicate title, license or operating
3 privilege, or administering any law which the department or secretary is required
4 by law to administer or perform, shall, on the first offense be required to forfeit not
5 less than \$25 nor more than \$100; and, on the 2nd and each subsequent offense not
6 less than \$100 nor more than \$500.;

NOTE: SECTIONS 65 to 69, while making no substantive changes, reorganizes s. 345.17, stats., which provides that unless another criminal penalty is expressly prescribed by law, any person who makes a false statement on which DOT or the secretary of transportation relies in issuing a duplicate title or a duplicate license or operating privilege or in performing an act or administering a law that the department or secretary is required by law to perform must forfeit not less than \$25 nor more than \$100 for the first offense and not less than \$100 nor more than \$500 for the second and each subsequent offense.

7 **SECTION 66.** 345.17 (1) (a) of the statutes is created to read:

8 345.17 (1) (a) Issuing a duplicate title.

9 **SECTION 67.** 345.17 (1) (b) of the statutes is created to read:

10 345.17 (1) (b) Issuing a duplicate license or operating privilege.

11 **SECTION 68.** 345.17 (1) (c) of the statutes is created to read:

12 345.17 (1) (c) Performing an act or administering a law that the department
13 or secretary is required by law to administer or perform.

14 **SECTION 69.** 345.17 (2) of the statutes is created to read:

15 345.17 (2) Any person who violates sub. (1) shall forfeit not less than \$25 nor
16 more than \$100 for the first offense and shall forfeit not less than \$100 nor more than
17 \$500 for the 2nd and each subsequent offense.

18 **SECTION 70.** 346.10 (3) of the statutes is amended to read:

19 346.10 (3) Outside of a business or residence district, the restrictions which
20 sub. (2) places upon passing at an intersection apply only if such intersection has
21 ~~been~~ is designated by an official traffic sign or signal, regardless of whether such sign

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1 ~~or signal was intended to guide, direct, warn or regulate traffic~~ in the direction of
2 travel by a traffic control signal, stop sign, yield sign or sign that warns traffic of
3 existing or potentially hazardous conditions on or adjacent to the roadway.

NOTE: This SECTION clarifies that an operator of a motor vehicle may overtake and pass any other vehicle proceeding in the same direction when approaching within 100 feet of or traversing an intersection that is located outside of a business or residential district unless the intersection is designated in the direction of the person's travel by a traffic control signal, stop sign, yield sign or sign that warns traffic of existing or potentially hazardous conditions on or adjacent to the highway.

4 **SECTION 71.** 346.195 (2) (c) of the statutes is amended to read:

5 346.195 (2) (c) Identification of the vehicle as an automobile, ~~station wagon,~~
6 motor truck, motor bus, motorcycle or other type of vehicle.

7 **SECTION 72.** 346.205 (2) (c) of the statutes is amended to read:

8 346.205 (2) (c) Identification of the vehicle as an automobile, ~~station wagon,~~
9 motor truck, motor bus, motorcycle or other type of vehicle.

10 **SECTION 73.** 346.457 (2) (c) of the statutes is amended to read:

11 346.457 (2) (c) Identification of the vehicle as an automobile, ~~station wagon,~~
12 motor truck, motor bus, motorcycle or other type of vehicle.

13 **SECTION 74.** 346.465 (2) (c) of the statutes is amended to read:

14 346.465 (2) (c) Identification of the vehicle as an automobile, ~~station wagon,~~
15 motor truck, motor bus, motorcycle or other type of vehicle.

16 **SECTION 75.** 346.485 (2) (c) of the statutes is amended to read:

17 346.485 (2) (c) Identification of the vehicle as an automobile, ~~station wagon,~~
18 motor truck, motor bus, motorcycle or other type of vehicle.

19 **SECTION 76.** 346.505 (3) (b) 3. of the statutes is amended to read:

20 346.505 (3) (b) 3. Identification of the vehicle as an automobile, ~~station wagon,~~
21 motor truck, motor bus, motorcycle or other type of vehicle.

22 **SECTION 77.** 346.945 (2) (c) of the statutes is amended to read:

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1 346.945 (2) (c) Identification of the motor vehicle as an automobile, station
2 wagon, motor truck, motor bus, motorcycle or other type of vehicle.

3 **SECTION 78.** 348.25 (6) of the statutes is amended to read:

4 348.25 (6) The officer or agency authorized by s. 348.26 or 348.27 to issue
5 permits may require the permittee to file proof satisfactory to such officer or agency
6 that personal injury and property damage insurance in an amount considered
7 sufficient by such officer or agency will be in force to cover any claim for bodily injury
8 or property damage which may occur in connection with operation under the permit
9 and for which the permittee is legally responsible. ~~Proof of such insurance shall be~~
10 ~~required in the case of annual permits for transportation of oversize mobile homes.~~

NOTE: This SECTION deletes the requirement that proof of insurance for the transportation of oversized mobile homes be filed with DOT before a multiple trip permit may be obtained. According to DOT, this requirement should be eliminated because DOT does not require other types of multiple trip permittees to file proof of insurance; therefore, it should not be required in this case.

11 **SECTION 79.** 885.237 (2) of the statutes is amended to read:

12 885.237 (2) Notwithstanding s. 341.04, the fact that an automobile, station
13 wagon or motor truck having a registered weight of 8,000 pounds or less is located
14 on a highway, as defined in s. 340.01 (22), and is not displaying valid registration
15 plates, a temporary operation plate or other evidence of registration as provided
16 under s. 341.18 (1) is prima facie evidence, for purposes of ch. 341, that the vehicle
17 is an unregistered or improperly registered vehicle.

18 **SECTION 9348. Initial applicability; transportation.**

19 (1) **PROOF OF FINANCIAL RESPONSIBILITY.** The treatment of sections 344.25 (2),
20 344.26 (1) and 344.27 (2) of the statutes first applies to revocations occurring on the
21 effective date of this subsection.

