

1999 DRAFTING REQUEST

Bill

Received: **01/19/99**

Received By: **nilsepe**

Wanted: **As time permits**

Identical to LRB:

For: **Antonio Riley (608) 266-0645**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **nilsepe**

May Contact:

Alt. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **TNF, ISR**

Pre Topic:

No specific pre topic given

Topic:

Vehicle owner's date of birth on vehicle registration

Instructions:

See Attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|---------------------|---------------------|----------------------|----------------|--------------------------|-------------------------|-----------------|
| /? | nilsepe 01/19/99 | gilfokm 01/28/99 | | _____ | | | State |
| | nilsepe 02/18/99 | ptellez 02/19/99 | | _____ | | | |
| /1 | | | jfrantze 02/19/99 | _____ | lrb_docadmin 02/19/99 | lrb_docadmin 04/6/99 | |

FE Sent For:

05-06-99

<END>

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| 1? | nilsepe | 1/19/99 | 2/2/99 | to RP 2/19 | | | |
| | | 1/19/99 | | | | | |

FE Sent For:

<END>

Per Chris / Rep. Riley's office 1/28/99 -1853
Prohibit registration of vehicle under

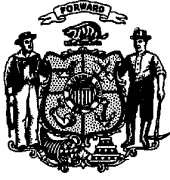
16 years of age

note: vehicles reg'd only by owner
may require transfer of title to person 16 yrs
of age or older

Prohibit DOT from including DoR on
bulk registration lists, except info provided
to law enforcement.

-PEN

redraft



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1853

PEN:pt

5004
1999 BILL

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

inserts

d-note

gen. cat.

1 AN ACT ...; relating to: requiring motor vehicle owners to include their birth
2 dates on applications for motor vehicle registration.

Analysis by the Legislative Reference Bureau

Under current law, an applicant for motor vehicle registration is required to include his or her name and address in the application, together with a description of the vehicle and other information reasonably required by the department of transportation to enable it to register the vehicle.

(DOT)

This bill requires the owner to include his or her birth date in the application for registration and requires DOT to refuse to register a vehicle to any person who is younger than 16 years of age. The bill requires DOT to post birth dates like other personal identifiers.

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:

insert 1-3

3 SECTION 1. 341.08 (2) (a) and (am) of the statutes are amended to read:

4 341.08 (2) (a) The name and birth date of the owner.

5 (am) If the owner under par. (a) is a lessee, the name and birth date of the lessor.

History: 1971 c. 164; 1973 c. 218; 1975 c. 94; 1977 c. 29 ss. 1414, 1654 (7) (a); 1979 c. 34; 1981 c. 165; 1983 a. 180; 1987 a. 349; 1991 a. 13, 269, 316; 1995 a. 255, 338; 1997 a. 27.

History: 1971 c. 164; 1973 c. 218; 1975 c. 94; 1977 c. 29 ss. 1414, 1654 (7) (a); 1979 c. 34; 1981 c. 165; 1983 a. 180; 1987 a. 349; 1991 a. 13, 269, 316; 1995 a. 255, 338; 1997 a. 27.

insert 1-4

identifiers,

such as name and address, for purposes of disclosure to the public.

1
2
3
4

SECTION 2. Effective date.

(1) This act takes effect on the first day of the ~~seventh~~^{7th} month beginning after publication.

(END)

insert
EEE

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1853/?dn
PEN.f.t....

January 19, 1998

Representative Riley:

I am not sure what problem this draft is intended to address, so I do not know whether it accomplishes your intent. The department of transportation (DOT) already has birth dates of licensees.

Do you want to require DOT to include the applicant's date of birth on compiled registration lists under s. 341.17, stats? These lists are open to public inspection under s. 341.17 (5), stats.

Do you want to exclude birth dates from bulk lists sold to marketers? Currently, a registrant may opt to have his or her "personal identifiers" withheld from compiled lists sold to marketers. See s. 341.17 (9), stats. A birth date is not considered a "personal identifier" for this purpose.

I delayed the effective date of this draft to allow DOT time to update its application forms.

NO 91

Paul E. Nilsen
Legislative Attorney
261-6926

The draft includes birth dates on these lists, but allows registrants to "opt out" so that his or her personal identifiers, including birth dates, will be withheld from persons requesting information concerning ten or more registrants. See s. 341.17 (9), stats.

[Inserts]

Insert
1-3

Section #. 341.08 (1m) of the statutes is amended to read:

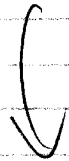
341.08 (1m) The forms for application for original registration and for renewal of registration under sub. (1) or another form provided by the department shall include a place for an applicant or registrant under this chapter who is a natural person to designate that the applicant's or registrant's name, ^{birth date,} street address, post-office box number and 9-digit extended zip code may not be disclosed as provided in s. 341.17 (9), a statement indicating the effect of making such a designation and a place for an applicant or registrant who has made a designation under this subsection to reverse the designation.

~~History: 1971 c. 164; 1973 c. 218; 1975 c. 94; 1977 c. 29 ss. 1414, 1654 (7) (a); 1979 c. 34; 1981 c. 165; 1983 a. 180; 1987 a. 349; 1991 a. 13, 269, 316; 1995 a. 255, 338; 1997 a. 27.~~

✓ Insert
1-4

Sec. #. CR; 341.10 (15) ✓

341.10 (15) ^(B) The applicant for registration
is younger than 16 years of age.



Insert
1-4
(cont.)

Section #. 341.17 (9) (a) 3. of the statutes is amended to read:

341.17 (9) (a) 3. "Personal identifier" means a name, ^{birth date} street address, post-office box number or 9-digit extended zip code.

History: 1971 c. 164; 1977 c. 29 ss. 1422, 1654 (7) (a), (e); 1977 c. 273; 1979 c. 221; 1985 a. 202; 1987 a. 217; 1991 a. 269; 1997 a. 27.

1999

[INSERT EEE] ✓

EEE

LRB _____/____

Nonstat File Sequence:

INITIAL APPLICABILITY

1. In the component bar:
 For the action phrase, execute: create → action: → *NS: → inappl
 For the budget action phrase, execute: create → action: → *NS: → 93XX
 For the text, execute: create → text: → *NS: → inappl
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the 9300 department code; and fill in "____" or "()" only if a "frozen" number is needed.

SECTION # 93. Initial applicability ⊙

(#1) ()

The treatment of sections ✓

341.10(15)

of the statutes first applies to applications for registration submitted on the effective date of this subsection ⊙

1. In the component bar:
 For the action phrase, execute: create → action: → *NS: → inappl
 For the text, execute: create → text: → *NS: → inapplA
2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "____" or "()" only if a "frozen" number is needed.

SECTION # ____ . Initial applicability;

(#1) () This act first ap

plies to

[end of inserts]

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1853/1dn
PEN:pgt:jf

January 19, 1999

Representative Riley:

Do you want to require DOT to include the applicant's date of birth on compiled registration lists under s. 341.17, stats? These lists are open to public inspection under s. 341.17 (5), stats. The draft includes birth dates on these lists, but allows registrants to "opt out" so that his or her personal identifiers, including birthdates, will be withheld from persons requesting information concerning ten or more registrants. See s. 341.17 (9), stats.

I delayed the effective date of this draft to allow DOT time to update its application forms.

Paul E. Nilsen
Legislative Attorney
261-6926

4/6/99

Please jacket

-1853/1 for

Rep. Riley

PEN



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
P. O. BOX 2037
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
REFERENCE SECTION: (608) 266-0341
FAX: (608) 266-5648

STEPHEN R. MILLER
CHIEF

May 20, 1999

LRB
/

MEMORANDUM

To: Representative Riley

Paul E. Nilsen, Legislative Attorney, (608) 261-6926

Subject: Technical Memorandum to **1999 AB 327** (LRB 99-1853/1)

We received the attached technical memorandum relating to your bill. This copy is for your information and your file. If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.



**State of Wisconsin
Wisconsin Department of Transportation**

MEMORANDUM

To: Legislative Reference Bureau
From: Department of Transportation
Date: May 17, 1999
Subject: Technical note: AB 327, LRB-1853/1

This bill amends Ch. 341, vehicle registration.

We understand from the author that the problem this bill is addressing is people who are engaging in unlawful activities registering their vehicles in the name of children, to prevent the vehicle's being seized.

If the problem is to address vehicle seizure, we wonder if the more appropriate statutory change would be to Ch. 342, vehicle ownership and titling. A violation under Ch 341 would yield only a penalty for fraudulent application for registration.