

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3893/P1dn
ARG:kjf:rs

November 17, 2005

ATTN: Nick Cekosh

Please review the attached draft carefully to ensure that it is consistent with your intent.

I highly recommend reviewing the attached draft with DOT to assess the administrative feasibility of using a license plate decal in lieu of a special identification card (disabled placard). The attached draft assumes that DOT could design and use a removable decal (that is, a decal that can be applied and removed once, not applied and removed on a regular basis). The problem with such a decal is that it may fall off or be stolen; for this reason, registration decals are not removable. If a nonremovable decal is used, various provisions of this draft will need to be modified. For example, if the decal expires, is canceled, or the period of disability ends, DOT will have to issue a new plate (without the decal) or an invalid decal will remain on the vehicle. The draft could be revised to require the vehicle owner to return the plate to DOT and obtain a replacement plate, for which there is generally a fee of \$2 per plate. The attached draft also assumes that the decal may be issued to persons with temporary as well as permanent disabilities.

While collector plates are issued for the vehicle, disabled placards are issued to the person and can be used on any vehicle, which is advantageous to a person who drives or is transported in more than one vehicle. The attached draft allows a person to obtain both a decal and a placard, so that the person can maintain the decal on the collector vehicle and use the placard with other vehicles. (Collector vehicles cannot, with an exception, be driven in January, a month when parking privileges are probably needed the most.)

The attached draft may create significant confusion for enforcers of parking privileges. A disabled placard is not supposed to be displayed unless parking privileges under the placard are being used. These privileges include not only parking in "handicapped" spots but also exemption from most parking meter payments if the vehicle is being used by or at the direction of the person issued the disabled placard. However, if a collector vehicle displaying a decal were used, alone, by the spouse of a person with a disability, a parking enforcer could not know whether the vehicle is entitled to an exemption from parking meter payments, as the decal cannot be displayed and removed with each use of the vehicle as a disabled placard can.

The attached draft does not specify whether DOT would issue a new decal with each registration period. Presumably this would be unnecessary.

The attached draft does not make these decals available for “collector special plates” that are not collector plates on collector vehicles but which are available to vehicle collectors under s. 341.14 (2m).

To the extent 2005 AB-715 is enacted, provisions of the attached draft will need to be merged or reconciled with that Act. I also note that the attached draft includes technical corrections in s. 343.51 (2) (a) and (b) that also appear in AB-715.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible “/1” draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us