

ASSEMBLY BILL 1085**SECTION 54**

1 **SECTION 54.** 77.54 (7) (b) (intro.) of the statutes is amended to read:

2 77.54 (7) (b) (intro.) If the item transferred is a motor vehicle, snowmobile,
3 ~~mobile home not exceeding 45 feet in length~~ recreational vehicle, trailer, semitrailer,
4 all-terrain vehicle or aircraft and the item is registered or titled, or required to be
5 registered or titled, in this state or if the item is a boat that is registered or titled, or
6 required to be registered or titled, in this state or under the laws of the United States,
7 the exemption under par. (a) applies only if all of the following conditions are
8 fulfilled:

9 **SECTION 55.** 77.54 (36) of the statutes is amended to read:

10 77.54 (36) The gross receipts from the rental for a continuous period of one
11 month or more of a mobile home, as defined in s. 66.0435 (1) (d) 101.91 (10), or a
12 manufactured home, as defined in s. 101.91 (2), that is used as a residence. In this
13 subsection, “one month” means a calendar month or 30 days, whichever is less,
14 counting the first day of the rental and not counting the last day of the rental.

15 **SECTION 56.** 77.61 (1) (a) of the statutes is amended to read:

16 77.61 (1) (a) No motor vehicle, boat, snowmobile, ~~mobile home not exceeding~~
17 ~~45 feet in length~~ recreational vehicle, trailer, semitrailer, all-terrain vehicle or
18 aircraft shall be registered or titled in this state unless the registrant presents proof
19 that the sales or use taxes imposed by this subchapter have been paid.

20 **SECTION 57.** 77.61 (1) (c) of the statutes is amended to read:

21 77.61 (1) (c) In the case of motor vehicles, boats, snowmobiles, ~~mobile homes~~
22 ~~not exceeding 45 feet in length~~ recreational vehicles, trailers, semitrailers,
23 all-terrain vehicles or aircraft registered or titled, or required to be registered or
24 titled, in this state purchased from persons who are not Wisconsin boat, trailer or
25 semitrailer dealers, licensed Wisconsin aircraft, motor vehicle or ~~mobile home~~

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1 recreational vehicle dealers or registered Wisconsin snowmobile or all-terrain
2 vehicle dealers, the purchaser shall file a sales tax return and pay the tax prior to
3 registering or titling the motor vehicle, boat, snowmobile, ~~mobile home not exceeding~~
4 ~~45 feet in length, trailer~~ recreational vehicle, semitrailer, all-terrain vehicle or
5 aircraft in this state.

6 **SECTION 58.** 77.71 (4) of the statutes is amended to read:

7 77.71 (4) An excise tax is imposed at the rate of 0.5% 0.5 percent in the case
8 of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district
9 tax of the sales price upon every person storing, using or otherwise consuming a
10 motor vehicle, boat, snowmobile, ~~mobile home not exceeding 45 feet in length~~
11 recreational vehicle, trailer, semitrailer, all-terrain vehicle or aircraft, if that
12 property must be registered or titled with this state and if that property is to be
13 customarily kept in a county that has in effect an ordinance under s. 77.70 or in a
14 special district that has in effect a resolution under s. 77.705 or 77.706, except that
15 if the buyer has paid a similar local sales tax in another state on a purchase of the
16 same property that tax shall be credited against the tax under this subsection.

17 **SECTION 59.** 77.78 of the statutes is amended to read:

18 **77.78 Registration.** No motor vehicle, boat, snowmobile, ~~mobile home not~~
19 ~~exceeding 45 feet in length~~ recreational vehicle, trailer, semitrailer, all-terrain
20 vehicle or aircraft that is required to be registered by this state may be registered or
21 titled by this state unless the registrant files a sales and use tax report and pays the
22 county tax and special district tax at the time of registering or titling to the state
23 agency that registers or titles the property. That state agency shall transmit those
24 tax revenues to the department of revenue.

25 **SECTION 60.** 77.785 (2) of the statutes is amended to read:

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1 77.785 (2) Prior to registration or titling, boat, all-terrain vehicle, trailer and
2 semi-trailer dealers and licensed aircraft, motor vehicle, ~~mobile home~~ manufactured
3 home, recreational vehicle, and snowmobile dealers shall collect the taxes under this
4 subchapter on sales of items under s. 77.71 (4). The dealer shall remit those taxes
5 to the department of revenue along with payments of the taxes under subch. III.

6 **SECTION 61.** 77.995 (2) of the statutes, as affected by 2005 Wisconsin Act 25,
7 is amended to read:

8 77.995 (2) There is imposed a fee at the rate of 5% 5 percent of the gross receipts
9 on the rental, but not for rental and not for rental as a service or repair replacement
10 vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of mobile homes, as
11 defined in s. 340.01 (29); of recreational vehicles, as defined in s. 340.01 (48r); of
12 motor homes, as defined in s. 340.01 (33m); and of camping trailers, as defined in s.
13 340.01 (6m) by establishments primarily engaged in short-term rental of vehicles
14 without drivers, for a period of 30 days or less, unless the sale is exempt from the sales
15 tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a). There is also imposed a fee at the rate
16 of 5% 5 percent of the gross receipts on the rental of limousines.

17 **SECTION 62.** 79.03 (3) (b) 4. a. of the statutes is amended to read:

18 79.03 (3) (b) 4. a. "Local general purpose taxes" means the portion of tax
19 increments collected for payment to a municipality under s. 66.1105 which is
20 attributable to that municipality's own levy, the portion of environmental
21 remediation tax increments collected for payment to a municipality or county under
22 s. 66.1106 that is attributable to that municipality's or county's own levy, general
23 property taxes, excluding taxes for a county children with disabilities education
24 board, collected to finance the general purpose government unit, property taxes
25 collected for sewage and sanitary districts, ~~mobile home~~ monthly municipal permit

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1 fees under s. 66.0435 (3), the proceeds of county sales and use taxes and municipal
2 and county vehicle registration fees under s. 341.35 (1).

3 **SECTION 63.** 100.21 (1) (a) of the statutes is amended to read:

4 100.21 (1) (a) “Dwelling unit” means a dwelling, as defined under s. 101.61, a
5 ~~manufactured building~~ modular home, as defined under s. 101.71 (6), a
6 manufactured home, as defined under s. 101.91 (2), or a multifamily dwelling, as
7 defined under s. 101.971 (2).

8 **SECTION 64.** Subchapter III (title) of chapter 101 [precedes 101.70] of the
9 statutes is amended to read:

10 **CHAPTER 101**

11 **SUBCHAPTER III**

12 **MANUFACTURED BUILDING HOUSING CODE**

13 **SECTION 65.** 101.70 of the statutes is amended to read:

14 **101.70 Purpose.** The purpose of this subchapter is to establish statewide
15 standards and inspection procedures for the manufacture and installation of
16 manufactured ~~buildings for dwellings~~ and modular homes and to promote interstate
17 uniformity in standards for manufactured ~~buildings~~ and modular homes by
18 authorizing the department to enter into reciprocal agreements with other states
19 ~~which~~ that have equivalent standards.

20 **SECTION 66.** 101.71 (4) of the statutes is amended to read:

21 101.71 (4) “Installation” means the assembly of a ~~manufactured building~~
22 modular home on-site and the process of affixing a ~~manufactured building~~ modular
23 home to land, a foundation, footing or an existing building.

24 **SECTION 67.** 101.71 (6) (a) (intro.) of the statutes is amended to read:

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1 101.71 (6) (a) (intro.) “~~Manufactured building~~ Modular home” means any
2 structure or component thereof which is intended for use as a dwelling and:

3 **SECTION 68.** 101.71 (6) (b) of the statutes is amended to read:

4 101.71 (6) (b) “~~Manufactured building~~ Modular home” does not mean any
5 manufactured home under s. 101.91 or any building of open construction which is not
6 subject to par. (a) 2.

7 **SECTION 69.** 101.715 of the statutes is amended to read:

8 **101.715 Application.** This subchapter applies to a dwelling the initial
9 construction of which was commenced on or after December 1, 1978, except that s.
10 101.745 applies to a ~~manufactured building~~ modular home the initial manufacture
11 of which was commenced on or after May 23, 1978.

12 **SECTION 70.** 101.72 of the statutes is amended to read:

13 **101.72 Dwelling code council.** The dwelling code council shall review the
14 standards and rules for ~~manufactured buildings~~ modular homes for dwellings and
15 recommend a statewide ~~manufactured building~~ modular home code for adoption by
16 the department which shall include rules providing for the conservation of energy in
17 the construction and maintenance of dwellings. Such rules shall take into account
18 the costs to home buyers of specific code provisions in relation to the benefits derived
19 therefrom. Upon its own initiative or at the request of the department, the council
20 shall consider and make recommendations to the department pertaining to rules and
21 any other matters related to this subchapter.

22 **SECTION 71.** 101.73 (1) of the statutes is amended to read:

23 101.73 (1) Adopt rules which establish standards for the use of building
24 materials, methods and equipment in the manufacture and installation of
25 ~~manufactured buildings~~ modular homes for use as dwellings or dwelling units.

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1 Where feasible, the standards used shall be those nationally recognized and shall
2 apply to the dwelling and to its electrical, heating, ventilating, air conditioning and
3 other systems. Such rules shall take into account the conservation of energy in
4 construction and maintenance of dwellings and the costs to home buyers of specific
5 code provisions in relation to the benefits derived therefrom.

6 **SECTION 72.** 101.73 (1m) of the statutes is amended to read:

7 101.73 (1m) Adopt a rule which requires any ~~manufactured building~~ modular
8 home which uses electricity for space heating to be superinsulated.

9 **SECTION 73.** 101.73 (2) of the statutes is amended to read:

10 101.73 (2) Adopt rules for the examination of plans and specifications and for
11 periodic in-plant and on-site inspections of manufacturing facilities, processes,
12 fabrication, assembly and installation of ~~manufactured buildings~~ modular homes to
13 ensure that examinations and inspections are made in compliance with the rules
14 adopted for construction, electrical wiring, heating, ventilating, air conditioning and
15 other systems under ss. 101.70 to 101.77 and with the rules for indoor plumbing
16 adopted by the department under ch. 145.

17 **SECTION 74.** 101.73 (3) of the statutes is amended to read:

18 101.73 (3) Provide for examination of plans and specifications and in-plant
19 inspections when contracted for by the manufacturer under s. 101.75 (1) and shall
20 contract to provide on-site inspection services for the installation of ~~manufactured~~
21 ~~buildings~~ modular homes for dwellings, at municipal expense, for any municipality
22 which requires such service under s. 101.76 or 101.761.

23 **SECTION 75.** 101.73 (5) of the statutes is amended to read:

24 101.73 (5) Adopt rules for the certification, including provisions for suspension
25 and revocation thereof, of on-site inspectors of the installation of ~~manufactured~~

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1 ~~buildings~~ modular homes for dwellings. Persons certified as on-site inspectors may
2 be employees of the department, a city, village, town or county or an independent
3 agency.

4 **SECTION 76.** 101.73 (6) of the statutes is amended to read:

5 101.73 (6) Adopt rules for the certification, including provisions for suspension
6 and revocation thereof, of independent inspection agencies to conduct in-plant
7 inspections of manufacturing facilities, processes, fabrication and assembly of
8 ~~manufactured buildings~~ modular homes for dwellings and to certify compliance with
9 this subchapter.

10 **SECTION 77.** 101.73 (7) of the statutes is amended to read:

11 101.73 (7) Issue or recognize an insignia of compliance for dwellings which
12 conform to the ~~manufactured building~~ modular home code.

13 **SECTION 78.** 101.73 (11) of the statutes is amended to read:

14 101.73 (11) Hear petitions regarding the ~~manufactured building~~ modular
15 home code, rules and special orders in accordance with s. 101.02 (6) (e) to (i) and (8).

16 **SECTION 79.** 101.74 (4) of the statutes is amended to read:

17 101.74 (4) Provide for or engage in the testing, approval and certification of
18 materials, devices and methods for the manufacture or installation of ~~manufactured~~
19 ~~buildings~~ modular homes.

20 **SECTION 80.** 101.74 (6) of the statutes is amended to read:

21 101.74 (6) Adopt rules prescribing procedures for approving new building
22 materials, devices and methods for the manufacture or installation of ~~manufactured~~
23 ~~buildings~~ modular homes for dwellings.

24 **SECTION 81.** 101.74 (7) of the statutes is amended to read:

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1 101.74 (7) Enter into reciprocal agreements with other states regarding the
2 design, construction, inspection and labeling of ~~manufactured buildings~~ modular
3 homes where the laws or rules of other states meet the intent of the manufactured
4 building code and the rules promulgated under this subchapter.

5 **SECTION 82.** 101.745 (4) of the statutes is amended to read:

6 101.745 (4) REQUIREMENT. The manufacturer of a ~~manufactured building~~
7 modular home shall install a functional smoke detector on each floor level except the
8 attic or storage area of each dwelling unit.

9 **SECTION 83.** 101.75 (1) of the statutes is amended to read:

10 101.75 (1) INSPECTIONS AND COMPLIANCE. Manufacturers of ~~manufactured~~
11 ~~buildings~~ modular homes shall contract with a certified independent inspection
12 agency or the department to conduct in-plant inspections and certify compliance
13 with this subchapter. Manufacturers shall reimburse the independent inspection
14 agency in accordance with the terms of the contract or reimburse the department in
15 accordance with fees established under s. 101.73 (12). All inspections shall be
16 performed by persons certified by the department.

17 **SECTION 84.** 101.75 (2) of the statutes is amended to read:

18 101.75 (2) DISPLAY OF INSIGNIA REQUIRED. All ~~manufactured buildings~~ modular
19 homes manufactured, sold for initial use or installed within this state shall display,
20 in a manner determined by the department, the insignia issued or recognized under
21 ss. 101.73 (7) and 101.74 (7). All ~~manufactured buildings~~ modular homes bearing
22 such insignia shall be deemed to comply with the requirements of all building
23 ordinances and regulations of any local government except those related to zoning
24 and siting requisites including but not limited to building setback, side and rear yard
25 requirements and property line requirements.

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1 **SECTION 85.** 101.75 (3) of the statutes is amended to read:

2 101.75 **(3)** DEPARTMENT APPROVAL OF ALTERATIONS. No person shall alter an
3 approved ~~manufactured building~~ modular home in any way prior to or during
4 installation without the approval of the department.

5 **SECTION 86.** 101.76 (1) (a) of the statutes is amended to read:

6 101.76 **(1)** (a) With the approval of the department, exercise jurisdiction over
7 the installation of ~~manufactured buildings~~ modular homes for dwellings by passage
8 of ordinances, provided such ordinances are in strict conformance with this
9 subchapter and the on-site inspection is performed by persons certified by the
10 department. Except as provided by s. 101.761, a county ordinance shall apply in any
11 city, village or town which has not enacted such ordinance.

12 **SECTION 87.** 101.761 (3) of the statutes is amended to read:

13 101.761 **(3)** The department or a county may not enforce this subchapter or an
14 ordinance adopted under s. 101.76 (1) (a) or provide inspection services in a
15 municipality unless requested to do so by a person with respect to a particular
16 ~~manufactured building~~ modular home or by the municipality. A request by a person
17 or a municipality with respect to a particular ~~manufactured building~~ modular home
18 does not give the department or a county authority with respect to any other
19 ~~manufactured building~~ modular home. Costs shall be collected under s. 101.76 (1)
20 (c) or ss. 101.73 (12) and 101.76 (2) from the person or municipality making the
21 request.

22 **SECTION 88.** 101.761 (5) of the statutes is amended to read:

23 101.761 **(5)** This section does not affect the applicability of or ordinances
24 adopted under this subchapter to manufacturers, builders and owners of
25 ~~manufactured buildings~~ modular homes located in a municipality.

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1 **SECTION 89.** 101.935 (1) of the statutes is amended to read:

2 101.935 **(1)** The department shall license and regulate manufactured home
3 ~~parks~~ communities. The department may investigate manufactured home ~~parks~~
4 communities and, with notice, may enter and inspect private property.

5 **SECTION 90.** 101.937 (2m) of the statutes is created to read:

6 101.937 **(2m)** **METERED SERVICE.** If a public utility provides metered water
7 service to a manufactured home community as a whole via a single master meter, the
8 public utility may not charge a fee for water lost in distribution between the master
9 meter and the unit meters, except to the extent that the loss, on a percentage basis,
10 exceeds the public utility's system loss, as reflected in the records the public utility
11 is required to keep under the rules of the public service commission.

12 **SECTION 91.** 101.971 (2) of the statutes is amended to read:

13 101.971 **(2)** "Multifamily dwelling" means an apartment building, rowhouse,
14 town house, condominium or ~~manufactured building~~ modular home, as defined in s.
15 101.71 (6), that does not exceed 60 feet in height or 6 stories and that consists of 3
16 or more attached dwelling units the initial construction of which is begun on or after
17 January 1, 1993. "Multifamily dwelling" does not include a facility licensed under
18 ch. 50.

19 **SECTION 92.** 106.50 (1m) (L) of the statutes is amended to read:

20 106.50 **(1m)** (L) "Housing" means any improved property, or any portion
21 thereof, including a mobile home as defined in s. ~~66.0435 (1) (d)~~ 101.91 (10),
22 manufactured home, as defined in s. 101.91 (2), or condominium, that is used or
23 occupied, or is intended, arranged or designed to be used or occupied, as a home or
24 residence. "Housing" includes any vacant land that is offered for sale or rent for the
25 construction or location thereon of any building, structure or portion thereof that is

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1 used or occupied, or is intended, arranged or designed to be used or occupied, as a
2 home or residence.

3 **SECTION 93.** 138.052 (1) (b) of the statutes is amended to read:

4 138.052 (1) (b) “Loan” means a loan secured by a first lien real estate mortgage
5 on, or an equivalent security interest in, a ~~one-~~ one-family to 4-family dwelling
6 which the borrower uses as his or her principal place of residence and which is made,
7 refinanced, renewed, extended or modified on or after November 1, 1981, but does
8 not include a ~~mobile~~ manufactured home transaction as defined in s. 138.056 (1) (c).

9 **SECTION 94.** 138.056 (1) (b) of the statutes is amended to read:

10 138.056 (1) (b) “Dwelling” includes a cooperative housing unit and a mobile
11 home or manufactured home.

12 **SECTION 95.** 138.056 (1) (bd) of the statutes is created to read:

13 138.056 (1) (bd) “Manufactured home” has the meaning given in s. 101.91 (2).

14 **SECTION 96.** 138.056 (1) (bm) of the statutes is amended to read:

15 138.056 (1) (bm) “Mobile home” ~~means a vehicle designed to be towed as a~~
16 ~~single unit or in sections upon a highway by a motor vehicle and equipped and used,~~
17 ~~or intended to be used, primarily for human habitation, with walls of rigid~~
18 ~~uncollapsible construction. “Mobile home” includes the mobile home structure,~~
19 ~~including the plumbing, heating and electrical systems and all appliances and all~~
20 ~~other equipment carrying a manufacturer’s warranty~~ has the meaning given in s.
21 101.91 (10).

22 **SECTION 97.** 138.056 (1) (c) of the statutes is amended to read:

23 138.056 (1) (c) “~~Mobile~~ Manufactured home transaction” means a consumer
24 credit sale, as defined in s. 421.301 (9), of or a consumer loan, as defined in s. 421.301

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1 (12), secured by a first lien or equivalent security interest in a mobile home or
2 manufactured home.

3 **SECTION 98.** 138.056 (1) (d) of the statutes is amended to read:

4 138.056 (1) (d) "Variable rate loan" means a ~~mobile~~ manufactured home
5 transaction or a loan as defined in s. 138.052 (1) (b), the terms of which permits the
6 interest rate to be increased or decreased.

7 **SECTION 99.** 138.056 (3) (a) of the statutes, as affected by 2003 Wisconsin Act
8 257, is amended to read:

9 138.056 (3) (a) A variable rate loan involving a ~~mobile~~ manufactured home
10 transaction or using an approved index may be prepaid at any time in whole or in part
11 without penalty. Other variable rate loans may be prepaid in whole or part without
12 penalty within 30 days after notice of an increase in the interest rate and, except as
13 provided in s. 428.207, with the prepayment penalty under s. 138.052 (2) (a) 2. and
14 3. if prepayment is made before or after the 30-day period. This paragraph controls
15 if there is a conflict with s. 138.052 (2) (a).

16 **SECTION 100.** 138.09 (7) (jm) 1. b. of the statutes is amended to read:

17 138.09 (7) (jm) 1. b. The loan administration fee is charged for a consumer loan
18 that is secured primarily by an interest in real property ~~or~~, in a mobile home, as
19 defined in s. ~~138.056 (1) (bm)~~ 101.91 (10), or in a manufactured home, as defined in
20 s. 101.91 (2).

21 **SECTION 101.** 214.485 (10) of the statutes is amended to read:

22 214.485 (10) For the purpose of mobile home or manufactured home financing.

23 **SECTION 102.** 215.205 (1) of the statutes is amended to read:

24 215.205 (1) Loans or obligations, or interests therein, for the purpose of mobile
25 home or manufactured home financing.

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1 **SECTION 103.** 218.10 (8m) of the statutes is amended to read:

2 218.10 **(8m)** "Recreational vehicle" means ~~a mobile home, as defined in s.~~
3 ~~340.01 (29), that does not exceed the statutory size under s. 348.07 (2)~~ has the
4 meaning given in s. 340.01 (48r). *Assembly was affected by 2005 Wisconsin Act...
(Senate Bill 327),*

5 **SECTION 104.** 234.622 (7) of the statutes is amended to read:

6 234.622 **(7)** "Qualifying dwelling unit" means a dwelling unit, not including a
7 mobile home as defined in s. ~~66.0435~~ 101.91 (10), located in this state, habitable as
8 a permanent residence and to which property taxes or special assessments are, or
9 may conveniently be, allocated and up to one acre of land appertaining to it held in
10 the same ownership as the dwelling unit. For purposes of ss. 234.621 to 234.626,
11 "qualifying dwelling unit" includes a unit in a condominium or in a cooperative or in
12 a ~~multi-unit~~ multiunit dwelling with 4 or fewer units, but in all of these 3 cases only
13 the portion of taxes or special assessments allocable to the unit lived in by the
14 participant may qualify for loans under ss. 234.621 to 234.626.

15 **SECTION 105.** 340.01 (18m) of the statutes is amended to read:

16 340.01 **(18m)** "Fifth-wheel ~~mobile home~~ recreational vehicle" means a mobile
17 home as defined in sub. (29) which recreational vehicle that is towed by a vehicle with
18 a flatbed frame so the trailer hitch of the ~~mobile home~~ recreational vehicle is bolted
19 to the flatbed frame of the towing vehicle.

20 **SECTION 106.** 340.01 (27k) of the statutes is created to read:

21 340.01 **(27k)** "Modular home" has the meaning given in s. 101.71 (6).

22 **SECTION 107.** 340.01 (27m) of the statutes is created to read:

23 340.01 **(27m)** "Manufactured home" has the meaning given in s. 101.91 (2).

24 **SECTION 108.** 340.01 (29) of the statutes is amended to read:

plain text
→ or an unincorporated cooperative association

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1 340.01 (29) “Mobile home” means a vehicle designed to be towed as a single unit
2 or in sections upon a highway by a motor vehicle and equipped and used or intended
3 to be used, primarily for human habitation, with walls of rigid uncollapsible
4 construction has the meaning given in s. 101.91 (10).

5 SECTION 109. 340.01 (48r) of the statutes is amended to read:

6 340.01 (48r) “Recreational vehicle” means a ~~mobile home that does not exceed~~
7 ~~the statutory size under s. 348.07 (2)~~ vehicle that is designed to be towed upon a
8 highway by a motor vehicle, that is equipped and used, or intended to be used,
9 primarily for temporary or recreational human habitation, that has walls of rigid,
10 uncollapsible construction, and that does not exceed 45 feet in length.

11 SECTION 110. 341.05 (26) (a) of the statutes is renumbered 341.05 (26).

12 SECTION 111. 341.05 (26) (b) of the statutes is repealed.

13 SECTION 112. 341.12 (1) of the statutes is amended to read:

14 341.12 (1) The department upon registering a vehicle pursuant to s. 341.25 or
15 341.30 shall issue and deliver prepaid to the applicant 2 registration plates for an
16 automobile, motor truck, motor bus, school bus, ~~self-propelled recreational vehicle~~
17 motor home, or dual purpose motor home and one plate for other vehicles. The
18 department upon registering a vehicle pursuant to any other section shall issue one
19 plate unless the department determines that 2 plates will better serve the interests
20 of law enforcement.

21 SECTION 113. 343.055 (1) (d) of the statutes is amended to read:

22 343.055 (1) (d) *Recreational vehicle operators.* The operator of the commercial
23 motor vehicle is a person operating a motor home, or a vehicle towing a 5th-wheel
24 ~~mobile home~~ recreational vehicle or single-unit recreational vehicle and the vehicle
25 or combination, including both units of a combination towing vehicle and the

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1 5th-wheel ~~mobile home~~ recreational vehicle or recreational vehicle, is both operated
2 and controlled by the person and is transporting only members of the person's family,
3 guests or their personal property. This paragraph does not apply to any
4 transportation for hire or the transportation of any property connected to a
5 commercial activity. In this paragraph, "controlled" means leased or owned.

6 **SECTION 114.** 346.94 (8) of the statutes is amended to read:

7 346.94 (8) TRANSPORTING PERSONS IN MOBILE HOMES, RECREATIONAL VEHICLES, OR
8 BOATS. Except as provided in sub. (8m), no person may operate a motor vehicle towing
9 any mobile home, recreational vehicle, or boat on a trailer upon a highway when any
10 person is in such mobile home, recreational vehicle, or boat.

11 **SECTION 115.** 346.94 (8m) of the statutes is amended to read:

12 346.94 (8m) TRANSPORTING PERSONS IN FIFTH-WHEEL MOBILE ~~HOMES~~
13 RECREATIONAL VEHICLES. (a) No person may operate a motor vehicle towing a
14 fifth-wheel ~~mobile home~~ recreational vehicle upon a highway when any person
15 under the age of 12 years is in the fifth-wheel ~~mobile home~~ recreational vehicle
16 unless one person 16 years of age or older is also in the fifth-wheel ~~mobile home~~
17 recreational vehicle.

18 (b) No person may operate a motor vehicle towing a fifth-wheel ~~mobile home~~
19 recreational vehicle upon a highway with any person in such ~~mobile home~~
20 recreational vehicle unless the fifth-wheel ~~mobile home~~ recreational vehicle is
21 equipped with a two-way communications system in proper working order and
22 capable of providing voice communications between the operator of the towing
23 vehicle and any occupant of the fifth-wheel ~~mobile home~~ recreational vehicle.

24 **SECTION 116.** 347.15 (2) of the statutes is amended to read:

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1 347.15 (2) Except as provided in sub. (1), there shall be at least 2 direction
2 signal lamps showing to the front on motor vehicles and at least 2 showing to the rear
3 on motor vehicles, mobile homes, recreational vehicles, trailers and semitrailers, so
4 as to indicate intention to turn right or left. Lamps showing to the front shall be
5 located on the same level and as widely spaced laterally as practicable and lamps
6 showing to the rear shall be located on the same level and as widely spaced laterally
7 as practicable. Such lamps shall project a flashing white or amber light visible to the
8 front and a flashing red or amber light visible to the rear. Direction signal lamps
9 when in use shall be plainly visible and understandable from all distances to 300 feet
10 during normal sunlight. No direction signal lamp shall have any type of decorative
11 covering that restricts the amount of light emitted when the direction signal lamp
12 is in use. When actuated, such lamps shall indicate the intended direction of turning
13 by flashing the lights showing to the front and rear on the side toward which the turn
14 is made. This subsection does not apply to any type of decorative covering originally
15 equipped on the vehicle at the time of manufacture and sale.

16 **SECTION 117.** 347.35 (4) of the statutes is amended to read:

17 347.35 (4) **MOBILE HOMES AND RECREATIONAL VEHICLES.** No person shall
18 manufacture and no person shall sell a mobile home or recreational vehicle in this
19 state unless such mobile home or recreational vehicle is equipped with brakes
20 adequate to control the movement of and to stop and hold it. No person shall operate
21 on a highway any mobile home registered as a 1940 or later year model or
22 recreational vehicle unless such mobile home or recreational vehicle is equipped with
23 brakes adequate to control the movement of and to stop and hold it.

24 **SECTION 118.** 347.45 (1) of the statutes is amended to read:

ASSEMBLY BILL 1085**SECTION 118**

1 347.45 (1) All automobiles, motor trucks, motor buses, truck tractors, trailers,
2 semitrailers, recreational vehicles, and mobile homes when operated upon a
3 highway shall be completely equipped with tires inflated with compressed air and
4 all other motor vehicles when operated on a highway shall be equipped with tires of
5 rubber or of some material or construction of equal resiliency. No person may operate
6 on a highway any motor vehicle, trailer, semitrailer, recreational vehicle, or mobile
7 home having any metal tire in contact with the roadway, except that tire chains of
8 reasonable proportions may be used when required for safety because of snow, ice or
9 other conditions tending to cause a vehicle to skid, and except as provided in sub. (2)
10 (c).

11 **SECTION 119.** 347.47 (2) of the statutes is amended to read:

12 347.47 (2) No person shall operate a motor vehicle drawing a trailer,
13 semitrailer, recreational vehicle, or mobile home upon a highway unless the hitch
14 and coupling attaching the trailer, semitrailer, recreational vehicle, or mobile home
15 to the vehicle by which it is drawn is of such construction as to cause such trailer,
16 semitrailer, recreational vehicle, or mobile home to follow in direct line with the
17 propelling vehicle without dangerous side swing or wobble. The hitch and coupling,
18 the surface to which they are attached, and the connections, shall be of sufficient
19 strength to prevent failure under all conditions of operation. The hitch is that part
20 of the connecting mechanism, including the coupling platform and its attaching
21 members or weldments, which is attached to the towing vehicle. The coupling is that
22 part of the connecting mechanism, including the coupling and its attaching members
23 or weldments, which is attached to the trailer, recreational vehicle, or mobile home
24 and by which connection is made to the hitch. If a device is used between the trailer

ASSEMBLY BILL 1085

1 proper and the coupling such as a pole, such device shall also meet the requirements
2 of this section.

3 **SECTION 120.** 347.47 (4) of the statutes is amended to read:

4 347.47 (4) Trailer, semitrailer, recreational vehicle, and mobile home couplings
5 and the safety chains, leveling bars or cables shall be of such minimum strength,
6 design and type as established by published rule of the department.

7 **SECTION 121.** 348.06 (1) of the statutes, as affected by 2005 Wisconsin Act 11,
8 is amended to read: ✓

9 348.06 (1) Except as provided in subs. (2) and (2m), no person, without a permit
10 therefor, may operate on a highway any motor vehicle, mobile home, recreational
11 vehicle, trailer, or semitrailer having an overall height in excess of 13 1/2 feet.

12 **SECTION 122.** 348.07 (2) (c) of the statutes is amended to read:

13 348.07 (2) (c) Forty five feet for ~~mobile homes~~ recreational vehicles, motor
14 homes, and motor buses.

15 **SECTION 123.** 348.07 (3) (a) of the statutes is amended to read:

16 348.07 (3) (a) The overall length of a mobile home or recreational vehicle shall
17 be measured from the rear thereof to the rear of the vehicle to which it is attached.

18 **SECTION 124.** 348.10 (5) (intro.) of the statutes is amended to read:

19 348.10 (5) (intro.) The load imposed upon trailers ~~or~~, semitrailers, recreational
20 vehicles, or mobile homes shall be distributed in a manner that will prevent side
21 sway under all conditions of operation:

22 **SECTION 125.** 348.10 (5) (a) of the statutes is amended to read:

23 348.10 (5) (a) All items of load carried by any trailer, semitrailer, recreational
24 vehicle, or mobile home, except bulk material such as sand, gravel, dirt not in
25 containers, shall be secured to, on or in the trailer, semitrailer, recreational vehicle.

1 or mobile home in such manner as to prevent shifting of the load while the trailer,
2 semitrailer, recreational vehicle, or mobile home is being drawn by a towing vehicle.

3 **SECTION 126.** 348.10 (5) (c) of the statutes is amended to read:

4 348.10 (5) (c) The load carried by any trailer, semitrailer, recreational vehicle,
5 or mobile home shall be so positioned that a weight of not less than 35 pounds is
6 imposed at the center of the point of attachment to the towing vehicle when parked
7 on a level surface.

8 **SECTION 127.** 348.26 (4) of the statutes is amended to read:

9 348.26 (4) MOBILE HOME, MANUFACTURED HOME, AND MODULAR HOME PERMITS.
10 Single trip permits for the movement of oversize mobile homes, manufactured
11 homes, and modular homes may be issued only by the department, regardless of the
12 highways to be used. Every such permit shall designate the route to be used by the
13 permittee.

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42-13

14 **SECTION 128.** 348.27 (7) of the statutes is amended to read:

15 348.27 (7) MOBILE HOME, MANUFACTURED HOME, AND MODULAR HOME PERMITS. The
16 department may issue annual or consecutive month statewide permits to licensed
17 mobile home, manufactured home, or modular home transport companies and to
18 licensed mobile home, manufactured home, or modular home manufacturers and
19 dealers authorizing them to transport oversize mobile homes, manufactured homes,
20 or modular homes over any of the highways of the state in the ordinary course of their
21 business.

22 **SECTION 129.** 348.27 (7m) of the statutes, as affected by 2005 Wisconsin Act
23 (Senate Bill 45), is amended to read:

24 348.27 (7m) The department may issue an annual or consecutive month permit
25 for the movement of a 3-vehicle combination consisting of a towing vehicle and, in

ASSEMBLY BILL 1085

1 order by weight, with the lighter of the towed vehicles as the 3rd vehicle in the
 2 3-vehicle combination unless not structurally possible, a ~~mobile home~~ recreational
 3 vehicle or camping trailer, and a trailer for a ~~personal~~ ^{no strike} recreational vehicle, if the
 4 overall length of the combination of vehicles does not exceed 60 feet and the towed
 5 vehicles are for the use of the operator of the towing vehicle. A permit under this
 6 subsection may be issued only by the department, regardless of the highways to be
 7 used. The department may designate the routes that may be used by the permittee.
 8 The fee for an annual permit under this subsection is \$40. The fee for a consecutive
 9 month permit under this subsection shall be determined in the manner provided in
 10 s. 348.25 (8) (bm), except that the \$40 fee for an annual permit under this subsection
 11 shall be used in the computation. No 3-vehicle combination may operate under this
 12 paragraph if highway or weather conditions include heavy snow, freezing rain, icy
 13 roads, high winds, limited visibility, or upon a highway that is closed or partially
 14 closed by the department due to highway conditions.

15 **SECTION 130.** 349.03 (2) of the statutes is amended to read:

16 349.03 (2) No local authority may enact or enforce any traffic regulation
 17 providing for suspension or revocation of motor vehicle operator's licenses or
 18 requiring local registration of vehicles, except as authorized by s. 341.35, or in any
 19 manner excluding or prohibiting any motor vehicle, mobile home, vehicle
 20 transporting a manufactured home or modular home, recreational vehicle, trailer,
 21 or semitrailer whose owner has complied with chs. 341 to 348 from the free use of all
 22 highways, except as authorized by sub. (3) and ss. 66.0429 (1) and (3), 349.13, 349.17,
 23 349.22 and 349.23.

24 **SECTION 131.** 422.201 (12m) of the statutes is amended to read:

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ASSEMBLY BILL 1085**SECTION 131**

1 422.201 **(12m)** This section does not apply to consumer credit sales of or
2 consumer loans secured by a first lien on or equivalent security interest in mobile
3 homes or manufactured homes, as defined in s. ~~138.056 (1) (bm)~~ 101.91, if the sales
4 or loans are made on or after November 1, 1981.

5 **SECTION 132.** 422.202 (2) (intro.) of the statutes is amended to read:

6 422.202 **(2)** (intro.) With respect to a consumer credit transaction which
7 involves a ~~mobile~~ manufactured home transaction as defined in s. 138.056 (1) (c) or
8 the extension of credit secured by an interest in real property, the parties may agree
9 to the payment by the customer of the following charges in addition to the finance
10 charge, if they will be paid to persons not related to the merchant, are reasonable in
11 amount, bona fide and not for the purpose of circumvention or evasion of this
12 subchapter:

13 **SECTION 133.** 422.209 (1m) (a) 2. of the statutes is amended to read:

14 422.209 **(1m)** (a) 2. The loan administration fee is for a consumer loan that is
15 secured primarily by an interest in real property or in a mobile home, as defined in
16 s. ~~138.056 (1) (bm)~~ 101.91 (10), or in a manufactured home, as defined in s. 101.91
17 (2).

18 **SECTION 134.** 422.209 (6m) of the statutes is amended to read:

19 422.209 **(6m)** For purpose of this section, the finance charge in a ~~mobile~~
20 manufactured home transaction as defined in s. 138.056 (1) (c) does not include fees,
21 discounts, or other sums actually imposed by the government national mortgage
22 association, the federal national mortgage association, the federal home loan
23 mortgage corporation or other governmentally sponsored secondary mortgage
24 market purchaser of the loan or any private secondary mortgage market purchaser
25 of the loan who is not a person related to the original lender.

ASSEMBLY BILL 1085

1 **SECTION 135.** 422.402 (5) (intro.) of the statutes is amended to read:

2 422.402 (5) (intro.) This section does not apply to a mobile manufactured home
3 transaction as defined in s. 138.056 (1) (c) made on or after November 1, 1981, and
4 before November 1, 1984, if:

5 **SECTION 136.** 422.402 (5) (b) of the statutes is amended to read:

6 422.402 (5) (b) The unequal or irregular payment is the final scheduled
7 payment of the transaction, and the merchant agrees to refinance the final scheduled
8 payment at a rate of interest not in excess of the rate disclosed pursuant to subch.
9 III of ch. 422 by more than one percent multiplied by the number of 6-month periods
10 in the term of the immediately prior mobile manufactured home transaction.

11 **SECTION 137.** 422.413 (2g) (intro.) of the statutes is amended to read:

12 422.413 (2g) (intro.) In any consumer credit transaction in which the collateral
13 is a motor vehicle as defined in s. 340.01 (35), a trailer as defined in s. 340.01 (71),
14 a snowmobile as defined in s. 340.01 (58a), a boat as defined in s. 30.50 (2), an aircraft
15 as defined in s. 114.002 (3), or a mobile home or manufactured home as defined in s.
16 ~~138.056 (1) (b)~~ 101.91, a writing evidencing the transaction may provide for the
17 creditor's recovery of all of the following expenses, if the expenses are reasonable and
18 bona fide:

19 **SECTION 138.** 424.301 (1) (b) 1. of the statutes is amended to read:

20 424.301 (1) (b) 1. The actual cash value or stated value of any motor vehicle,
21 manufactured home, or mobile home in which the creditor holds a security interest.

22 **SECTION 139.** 707.02 (4) of the statutes is amended to read:

23 707.02 (4) "Campground" means real property that is available for use by
24 campground members under a campground contract and is intended for camping or
25 outdoor recreation, including the use of campsites and campground amenities by

ASSEMBLY BILL 1085

1 campground members, but does not include a manufactured and mobile home park
2 community as defined in s. 66.0435 (1) (e).

3 **SECTION 140.** 710.15 (title) of the statutes is amended to read:

4 **710.15** (title) **Mobile Manufactured and mobile home park community**
5 **regulations.**

6 **SECTION 141.** 710.15 (1) (a) of the statutes is renumbered 710.15 (1) (ag) and
7 amended to read:

8 710.15 (1) (ag) “Lease” means a written agreement between an operator and
9 a resident ~~or mobile home occupant~~ establishing the terms upon which the mobile
10 home ~~or manufactured home~~ may be located in the park community or the mobile
11 ~~home occupant resident~~ resident may occupy a mobile home or manufactured home in the
12 park community.

13 **SECTION 142.** 710.15 (1) (am) of the statutes is created to read:

14 710.15 (1) (am) “Manufactured home” has the meaning given in s. 101.91 (2).

15 **SECTION 143.** 710.15 (1) (b) of the statutes is amended to read:

16 710.15 (1) (b) “Mobile home” has the meaning given under s. ~~66.0435 (1) (d)~~
17 101.91 (10), but does not include ~~any unit used primarily for camping, touring or~~
18 ~~recreational purposes~~ a recreational vehicle, as defined in s. 340.01 (48r).

19 **SECTION 144.** 710.15 (1) (c) of the statutes is amended to read:

20 710.15 (1) (c) “~~Mobile home occupant~~ Occupant” means a person who rents a
21 mobile home or manufactured home in a park community from an operator or who
22 occupies a mobile home or manufactured home located on a plot of ground that is
23 rented in a community from an operator.

24 **SECTION 145.** 710.15 (1) (d) of the statutes is amended to read:

ASSEMBLY BILL 1085

1 710.15 (1) (d) “Operator” means a person engaged in the business of renting
2 plots of ground or mobile homes or manufactured homes in a park community to
3 mobile home or manufactured home owners or ~~mobile home~~ occupants.

4 **SECTION 146.** 710.15 (1) (e) of the statutes is renumbered 710.15 (1) (ad) and
5 amended to read:

6 710.15 (1) (ad) “Park Community” means a tract of land containing 2 3 or more
7 plots of ground upon which mobile homes or manufactured homes are located in
8 exchange for the payment of rent or any other fee pursuant to a lease.

9 **SECTION 147.** 710.15 (1) (f) of the statutes is amended to read:

10 710.15 (1) (f) “Resident” means a person who rents a mobile home or
11 manufactured home site in a park community from an operator and who occupies the
12 mobile home or site as his or her residence.

13 **SECTION 148.** 710.15 (1m) of the statutes is amended to read:

14 710.15 (1m) REQUIREMENT AND TERM OF LEASE. Every agreement for the rental
15 of a mobile home site ~~or mobile home~~ or manufactured home site shall be by lease.
16 Every lease shall be for a term of at least one year unless the resident or ~~mobile home~~
17 occupant requests a shorter term and the operator agrees to the shorter term.

18 **SECTION 149.** 710.15 (2) of the statutes is amended to read:

19 710.15 (2) RULES INCLUDED IN LEASE. All park community rules that
20 substantially affect the rights or duties of residents or ~~mobile home~~ occupants or of
21 operators, including park community rules under sub. (2m) (b), shall be made a part
22 of every lease between them.

23 **SECTION 150.** 710.15 (2m) (a) of the statutes is amended to read:

24 710.15 (2m) (a) Every lease shall state whether the park community contains
25 an emergency shelter.

ASSEMBLY BILL 1085**SECTION 151**

1 **SECTION 151.** 710.15 (2m) (b) of the statutes is amended to read:

2 710.15 **(2m)** (b) If a park community contains an emergency shelter under par.
3 (a), the park community rules shall state the location of the emergency shelter and
4 procedures for its use.

5 **SECTION 152.** 710.15 (3) of the statutes is amended to read:

6 710.15 **(3)** PROHIBITED CONSIDERATION OF AGE OF MOBILE HOME OR MANUFACTURED
7 HOME. (a) An operator may not deny a resident the opportunity to enter into or renew,
8 and may not include, exclude or alter any terms of, a lease to continue to locate a
9 mobile home or manufactured home in the park community solely or in any part on
10 the basis of the age of the mobile home or manufactured home.

11 (b) An operator may not require the removal of a mobile home or manufactured
12 home from a park community solely or in any part on the basis of the age of the mobile
13 home or manufactured home, regardless of whether the ownership or occupancy of
14 the mobile home or manufactured home has changed or will change.

15 **SECTION 153.** 710.15 (4) of the statutes is amended to read:

16 710.15 **(4)** PROHIBITED CONSIDERATION OF CHANGE IN OWNERSHIP OR OCCUPANCY OF
17 MOBILE HOME OR MANUFACTURED HOME. An operator may not require the removal of
18 a mobile home or manufactured home from a park community solely or in any part
19 because the ownership or occupancy of the mobile home or manufactured home has
20 changed or will change. An operator may refuse to enter into an initial lease with
21 a prospective resident or ~~mobile home~~ occupant for any other lawful reason.

22 **SECTION 154.** 710.15 (4m) of the statutes is amended to read:

23 710.15 **(4m)** NO INTEREST IN REAL ESTATE; SCREENING PERMITTED. Neither sub. (3)
24 (b) nor sub. (4) creates or extends any interest in real estate or prohibits the lawful
25 screening of prospective residents and ~~mobile home~~ occupants by an operator.

ASSEMBLY BILL 1085

1 **SECTION 155.** 710.15 (5m) (intro.) of the statutes is amended to read:

2 **710.15 (5m)** TERMINATION OF TENANCY OR NONRENEWAL OF LEASE. (intro.)
3 Notwithstanding ss. 704.17 and 704.19, the tenancy of a resident or ~~mobile-home~~
4 occupant in a ~~park~~ community may not be terminated, nor may the renewal of the
5 lease be denied by the ~~park~~ community operator, except upon any of the following
6 grounds:

7 **SECTION 156.** 710.15 (5m) (a) of the statutes is amended to read:

8 **710.15 (5m)** (a) Failure to pay rent due, or failure to pay taxes or any other
9 charges due for which the ~~park~~ community owner or operator may be liable.

10 **SECTION 157.** 710.15 (5m) (e) of the statutes is amended to read:

11 **710.15 (5m)** (e) Violation of ~~park~~ community rules that endangers the health
12 or safety of others or disrupts the right to the peaceful enjoyment and use of the
13 premises by others, after written notice to cease the violation has been delivered to
14 the resident or ~~mobile-home~~ occupant.

15 **SECTION 158.** 710.15 (5m) (em) of the statutes is amended to read:

16 **710.15 (5m)** (em) Violation of federal, state or local laws, rules or ordinances
17 relating to mobile homes or manufactured homes after written notice to cease the
18 violation has been delivered to the resident or ~~mobile-home~~ occupant.

19 **SECTION 159.** 710.15 (5m) (f) of the statutes is amended to read:

20 **710.15 (5m)** (f) The ~~park~~ community owner or operator seeks to retire the ~~park~~
21 community permanently from the rental housing market.

22 **SECTION 160.** 710.15 (5m) (g) of the statutes is amended to read:

23 **710.15 (5m)** (g) The ~~park~~ community owner or operator is required to
24 discontinue use of the ~~park~~ community for the purpose rented as a result of action
25 taken against the ~~park~~ community owner or operator by local or state building or

1 health authorities and it is necessary for the premises to be vacated to satisfy the
2 relief sought by the action.

3 SECTION 161. 710.15 (5m) (h) of the statutes is amended to read:

4 710.15 (5m) (h) The physical condition of the mobile home or manufactured
5 home presents a threat to the health or safety of its occupants or others in the ~~park~~
6 community or, by its physical appearance, disrupts the right to the enjoyment and
7 use of the ~~park~~ community by others.

8 SECTION 162. 861.21 (1) (b) of the statutes is amended to read:

9 861.21 (1) (b) "Home" means any dwelling in which the decedent had an
10 interest and that at the time of the decedent's death the surviving spouse occupies
11 or intends to occupy. If there are several such dwellings, any one may be designated
12 by the surviving spouse. "Home" includes a house, a mobile home, a manufactured
13 home, a duplex or multiple apartment building one unit of which is occupied by the
14 surviving spouse and a building used in part for a dwelling and in part for commercial
15 or business purposes. "Home" includes all of the surrounding land, unless the court
16 sets off part of the land as severable from the remaining land under sub. (5).

17 SECTION 163. 941.20 (1) (d) of the statutes is amended to read:

18 941.20 (1) (d) While on the lands of another discharges a firearm within 100
19 yards of any building devoted to human occupancy situated on and attached to the
20 lands of another without the express permission of the owner or occupant of the
21 building. "Building" as used in this paragraph includes any house trailer,
22 manufactured home, or mobile home but does not include any tent, bus, truck,
23 vehicle or similar portable unit.

24 SECTION 164. 990.01 (14) of the statutes is amended to read:

, as affected by 2005 Wisconsin Act
..... (Assembly Bill 327),

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4887/lins.
RNK:.....

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SECTION 1. 66.0435 (3) (c) 1. (intro.) of the statutes, as affected by 2005 Wisconsin Act (Senate Bill 404), is amended to read:

66.0435 (3) (c) 1. (intro.) In addition to the license fee provided in pars. (a) and (b), each licensing authority shall collect from each ~~mobile home~~ unit occupying space or lots in a park community in the licensing authority, except from recreational mobile homes as provided under par. (cm), from manufactured and mobile homes that constitute improvements to real property under s. 70.043 (1), and from recreational vehicles as defined in s. 340.01 (48r), and from camping trailers as defined in s. 340.01 (6m), a monthly parking permit fee computed as follows:

History: 1999 a. 5; 1999 a. 150 ss. 112, 158 to 161; Stats. 1999 s. 66.0435.

SECTION 2. 66.0435 (9) of the statutes, as affected by 2005 Wisconsin Act (Senate Bill 404), is amended to read:

66.0435 (9) MUNICIPALITIES; PARKING MONTHLY MUNICIPAL PERMIT FEES ON MOBILE HOMES AND RECREATIONAL VEHICLES. A licensing authority may assess parking monthly municipal permit fees at the rates under this section on recreational mobile homes and recreational vehicles, as defined in s. 340.01 (48r), except recreational mobile homes ~~which~~ and recreational vehicles that are located in campgrounds licensed under s. 254.47, recreational mobile homes that constitute improvements to real property under s. 70.043 (1), and recreational mobile homes ~~which~~ or recreational vehicles that are located on land where the principal residence of the owner of the recreational mobile home or recreational vehicle is located, regardless of whether the recreational mobile home or recreational vehicle is occupied during all or part of any calendar year.

History: 1999 a. 5; 1999 a. 150 ss. 112, 158 to 161; Stats. 1999 s. 66.0435.

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SECTION 3. 70.111 (19) (title) of the statutes is amended to read:

70.111 (19) (title) CAMPING TRAILERS AND RECREATIONAL MOBILE HOMES, AND RECREATIONAL VEHICLES.

History: 1971 c. 315; 1973 c. 90; 1973 c. 336 s. 36; 1975 c. 39, 224; 1977 c. 29 ss. 746, 1646 (2), (3), (4); 1977 c. 142, 273; 1979 c. 3, 199, 349; 1981 c. 20, 221; 1983 a. 27 ss. 1179 to 1179m; 1983 a. 88, 201, 243, 276; 1985 a. 29; 1987 a. 387, 399; 1989 a. 31; 1991 a. 269; 1993 a. 85; 1995 a. 27; 1997 a. 248; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 30, 105.

SECTION 4. 70.111 (19) (c) of the statutes is created to read:

70.111 (19) (c) Recreational vehicles, as defined in s. 340.01 (48r).

INSERT 35-15

SECTION 5. 138.056 (3m) 4. of the statutes, as affected by 2005 Wisconsin Act 128, is amended to read:

138.056 (3m) 4. The prepayment is not made in connection with the sale of a dwelling or ~~mobile~~ manufactured home securing the loan.

History: 2005 a. 128.

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SECTION 6. 348.26 (4) of the statutes, as affected by 2005 Wisconsin Act 170, is amended to read:

348.26 (4) ~~MOBILE HOME, MANUFACTURED HOME, AND MANUFACTURED BUILDING~~ MODULAR HOME PERMITS. Single trip permits for the movement of oversize mobile homes, manufactured homes as defined in s. 101.91 (2) (am), or ~~manufactured buildings~~ modular homes as defined in s. 101.71 (6) may be issued only by the department, regardless of the highways to be used. Every such permit shall designate the route to be used by the permittee. No permit may be issued under this subsection for operation of a vehicle combination exceeding 110 feet in overall length

or for movement of a mobile home, manufactured home, or ~~manufactured building~~
modular home exceeding 80 feet in length.

History: 2005 a. 170.

INSERT 43-14

SECTION 7. 348.27 (7m) of the statutes, as affected by 2005 Wisconsin Act 119,
is amended to read:

348.27 (7m) The department may issue an annual or consecutive month permit for the movement of a 3-vehicle combination consisting of a towing vehicle and, in order by weight, with the lighter of the towed vehicles as the 3rd vehicle in the 3-vehicle combination unless not structurally possible, a ~~mobile home~~ recreational vehicle or camping trailer, and a trailer for a personal recreational vehicle, if the overall length of the combination of vehicles does not exceed 60 feet or, if the 2nd vehicle in the 3-vehicle combination is equipped with brakes adequate to control the movement of and to stop and hold it, does not exceed 65 feet, and the towed vehicles are for the use of the operator of the towing vehicle. A permit under this subsection may be issued only by the department, regardless of the highways to be used. The department may designate the routes that may be used by the permittee. The fee for an annual permit under this subsection is \$40. The fee for a consecutive month permit under this subsection shall be determined in the manner provided in s. 348.25 (8) (bm), except that the \$40 fee for an annual permit under this subsection shall be used in the computation. No 3-vehicle combination may operate under this paragraph if highway or weather conditions include heavy snow, freezing rain, icy roads, high winds, limited visibility, or upon a highway that is closed or partially closed by the department due to highway conditions.

History: 2005 a. 119.

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

LRB-4887/1dn

RNK: *ljf*

Date

234.622 (7),

This draft is based upon 2005 Assembly Bill 1085 but with certain changes that reflect reconciliation with 2005 Wisconsin Acts 11, 119, 128, and 170, all of which are now current law, and with 2005 Senate Bill 404 and 2005 Assembly Bill 327, both of which have passed both houses of the legislature. The affected provisions are: ss. 66.0435 (3) (c) 1. (intro.), 66.0435 (9), 70.111 (19) (title), 70.111 (19) (c), 138.056 (3m) 4., 348.26 (4), 348.27 (7m), and 990.01 (14).

Please review all of these provisions very closely to ensure that the resulting language is consistent with your intent. Please feel free to contact me if you have any questions with regard to this draft.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4887/1dn
RNK:kjf:rs

April 7, 2006

This draft is based upon 2005 Assembly Bill 1085 but with certain changes that reflect reconciliation with 2005 Wisconsin Acts 11, 119, 128, and 170, all of which are now current law, and with 2005 Senate Bill 404 and 2005 Assembly Bill 327, both of which have passed both houses of the legislature. The affected provisions are: ss. 66.0435 (3) (c) 1. (intro.), 66.0435 (9), 70.111 (19) (title), 70.111 (19) (c), 138.056 (3m) 4., 234.622 (7), 348.26 (4), 348.27 (7m), and 990.01 (14).

Please review all of these provisions very closely to ensure that the resulting language is consistent with your intent. Please feel free to contact me if you have any questions with regard to this draft.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
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Kraft, Becky

From: Asbjornson, Karen
Sent: Tuesday, April 11, 2006 11:01 AM
To: LRB.Legal
Subject: Draft Review: LRB 05-4887/1 Topic: Various changes to manufactured housing laws

Please Jacket LRB 05-4887/1 for the SENATE.