

SENATE BILL 456 (LRB -2138)

An Act to amend 341.14 (6r) (b) 1., 341.14 (6r) (c), 341.14 (6r) (e) and 341.14 (6r) (fm) 7.; and to create 20.395 (5) (cs), 20.395 (5) (ct), 341.14 (6r) (b) 14., 341.14 (6r) (f) 61. and 341.14 (6r) (j) of the statutes; relating to: special distinguishing registration plates supporting motorcycle safety and making appropriations. (FE)

2010

- 01-12. S. Introduced by Senators **Sullivan, Lehman, Taylor, Olsen, Schultz, Hansen, Wirch and Plale;** cosponsored by Representatives **Vruwink, Honadel, Ziegelbauer, Sinicki, Turner, Fields, Schneider, Zepnick and A. Ott.**
- 01-12. S. Read first time and referred to committee on Transportation, Tourism, Forestry, and Natural Resources 476
- 02-04. S. Public hearing held.
- 02-11. S. Executive action taken.
- 02-12. S. Report passage recommended by committee on Transportation, Tourism, Forestry, and Natural Resources, Ayes 6, Noes 1 557
- 02-12. S. Available for scheduling.
- 02-15. S. Fiscal estimate received.
- 02-18. S. Referred to joint committee on Finance by committee on Senate Organization pursuant to Senate Rule 41 (1)(e) 571
- 03-15. S. Senate amendment 1 offered by Senator Sullivan (**LRB a1622**) 633
- 04-07. S. Executive action taken.
- 04-09. S. Report adoption of Senate Amendment 1 recommended by joint committee on Finance, Ayes 15, Noes 0 .. 689
- 04-09. S. Report introduction of Senate Amendment 2 recommended by joint committee on Finance, Ayes 15, Noes 0 (**LRB a2032**) 689
- 04-09. S. Report adoption of Senate Amendment 2 recommended by joint committee on Finance, Ayes 15, Noes 0 .. 689
- 04-09. S. Report passage as amended recommended by joint committee on Finance, Ayes 15, Noes 0 689
- 04-09. S. Available for scheduling.
- 04-14. S. Placed on calendar 4-15-2010 pursuant to Senate Rule 18(1) 712
- 04-15. S. Read a second time.
- 04-15. S. Senate amendment 1 **adopted.**
- 04-15. S. Senate amendment 2 **adopted.**
- 04-15. S. Ordered to a third reading.
- 04-15. S. Rules suspended.
- 04-15. S. Read a third time and **passed**, Ayes 32, Noes 1.
- 04-15. S. Ordered immediately messaged.
- 04-16. A. Received from Senate 879
- 04-16. A. Read first time and referred to committee on Rules 879
- 04-20. A. Made a special order of business at 11:39 A.M. on 4-22-2010 pursuant to Assembly Resolution 26.
- 04-22. A. Read a second time.
- 04-22. A. Ordered to a third reading.
- 04-22. A. Rules suspended.
- 04-22. A. Read a third time and **concurred in**, Ayes 94, Noes 3.
- 04-22. A. Ordered immediately messaged.
- 04-23. S. Received from Assembly concurred in.

MB

2009
ENROLLED BILL

09en SB-456 ✓

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

09-2138 / 12 ✓

Amendments to above (if none, write "NONE"):

SA-1 (a 1622/1) ✓
SA-2 (a 2032/1) ✓

Corrections - show date (if none, write "NONE"):

NONE

Topic REBATING CLAUSE

5/3/2010
Date


Enrolling Drafter



2009 SENATE BILL 456

January 12, 2010 - Introduced by Senators SULLIVAN, LEHMAN, TAYLOR, OLSEN, SCHULTZ, HANSEN, WIRCH and PLALE, cosponsored by Representatives VRUWINK, HONADEL, ZIEGELBAUER, SINICKI, TURNER, FIELDS, SCHNEIDER, ZEPNICK and A. OTT. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

1 AN ACT *to amend* 341.14 (6r) (b) 1., 341.14 (6r) (c), 341.14 (6r) (e) and 341.14 (6r)
2 (fm) 7.; and *to create* 20.395 (5) (cs), 20.395 (5) (ct), 341.14 (6r) (b) 14., 341.14
3 (6r) (f) 61. and 341.14 (6r) (j) of the statutes; **relating to:** special distinguishing
4 registration plates supporting motorcycle safety and making appropriations.

Analysis by the Legislative Reference Bureau

Under current law, any group or organization may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special distinguishing registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

Before October 2, 1998, authorized special groups whose members may obtain special plates were specifically enumerated in state law. With certain exceptions, current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in supporting motorcycle safety. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates and an additional \$25 annual fee that, after paying applicable licensing fees, provides funds for the following activities under the Type 1 motorcycle, moped, and motor bicycle safety program administered

SENATE BILL 456

by DOT: evaluation of basic rider education courses; conducting public workshops, rallies, and programs related to Type 1 motorcycle safety and training; and making grants for providing motorcycle riding courses. The bill requires these plates to display the words "share the road" and a logo associated with Harley-Davidson, Inc. The plates may not be issued until after DOT has obtained licensing rights for this logo.

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:

SECTION 1. 20.395 (5) ^(eh) ~~(cs)~~ of the statutes is created to read:

20.395 (5) ^(eh) ~~(a)~~ *Motorcycle safety program supplement, state funds.* ^{SA2-1W} All moneys received under s. 341.14 (6r) (b) 14. ^(b) for activities under the Type 1 motorcycle, moped, and motor bicycle safety program under s. 85.30 limited to evaluation of basic rider education courses, conducting public workshops, rallies, and programs related to Type 1 motorcycle safety and training, and making grants for providing motorcycle riding courses.

SECTION 2. 20.395 (5) (ct) of the statutes is created to read:

20.395 (5) (ct) *Motorcycle safety plate licensing fees, state funds.* All moneys received under s. 341.14 (6r) (b) 14. a. for the purpose of making payments of licensing fees under s. 341.14 (6r) (j).

SECTION 3. 341.14 (6r) (b) 1. of the statutes, as affected by 2009 Wisconsin Act 28, section 2811, is amended to read:

341.14 (6r) (b) 1. Upon application to register an automobile or motor home, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight of not more than 12,000 pounds, by any person who is a resident of this state and a member of an authorized special group, the department shall issue to the person

SA2-3 INS

SA1-2

(eh) SA2-1W

SA2-2 INS

SENATE BILL 456

1 special plates whose colors and design shall indicate that the vehicle is owned by a
2 person who is a member of the applicable special group. The department may not
3 issue any special group plates under par. (f) 55. ~~or, 60., or 61.~~ until 6 months after the
4 department has received information sufficient for the department to determine that
5 any approvals required for use of any logo, trademark, trade name or other
6 commercial symbol designating, ~~respectively,~~ the professional football team or the
7 professional baseball team or associated with Harley-Davidson, Inc. have been
8 obtained. Notwithstanding s. 341.12 (2), if the department of corrections does not
9 have flat-plate technology available for use in manufacturing license plates at
10 quality and cost comparable to that available from the state of Minnesota, the
11 department of transportation may not issue any special group plates under par. (f)
12 59. unless the department of transportation purchases the plates from the state of
13 Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765, 16.77, and
14 16.82 do not apply to purchases of plates issued under par. (f) 59. from the state of
15 Minnesota.

16 **SECTION 4.** 341.14 (6r) (b) 14. of the statutes is created to read:

17 341.14 **(6r)** (b) 14. An additional fee of \$25 that is in addition to the fee under
18 subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual
19 basis for the special group specified under par. (f) 61. An additional fee of \$50 that
20 is in addition to the fee under subd. 2. shall be charged for the issuance or renewal
21 of a plate issued on the biennial basis for the special group specified under par. (f) 61.
22 if the plate is issued or renewed during the first year of the biennial registration
23 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
24 2nd year of the biennial registration period. All moneys received under this

SENATE BILL 456

SA1-3

\$23,700 ✓

1

subdivision, in excess of \$43,200 for the initial costs of production of the special group plate under par. (f) 61., shall be credited as follows:

SA2-4 (ND)

2

3

a. An amount equal to the costs of licensing fees under par. (j) shall be credited to the appropriation account under s. 20.395 (5) (ct).

4

b. The remainder after crediting the appropriation account as provided in subd.

SA3-4

6

14. a. shall be credited to the appropriation account under s. 20.395 (5) (cs).

(eh)

7

SECTION 5. 341.14 (6r) (c) of the statutes, as affected by 2009 Wisconsin Act 28,

SA2-5

8

section 2818, is amended to read:

9

341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the name of the applicable authorized special group, a symbol representing the special group, not exceeding one position, and identifying letters or numbers or both, not exceeding 6 positions and not less than one position. The department shall specify the design for special group plates, but the department shall consult the president of the University of Wisconsin System before specifying the word or symbol used to identify the special groups under par. (f) 35. to 47., the secretary of natural resources before specifying the word or symbol used to identify the special group under par. (f) 50., the chief executive officer of the professional football team and an authorized representative of the league of professional football teams described in s. 229.823 to which that team belongs before specifying the design for the applicable special group plate under par. (f) 55., the chief trademark officer of Harley-Davidson Michigan, LLC before specifying the design for the applicable special group plate under par. (f) 61., the department of veterans affairs before specifying the design for the special group plates under par. (f) 49d., 49h., and 49s., and the department of tourism and chief executive officer of the organization specified in par. (f) 55m. before specifying the design and word or symbol used to identify the special group name for special

25

SENATE BILL 456

1 group plates under par. (f) 55m. Special group plates under par. (f) 50. shall be as
2 similar as possible to regular registration plates in color and design. The department
3 shall make available 2 designs for the special group plates under par. (f) 60. The
4 department may not specify any design for the special group plates under par. (f) 60.
5 unless the design is approved by the executive vice president of the Milwaukee
6 Brewers Baseball Club LP. The word or symbol used to identify the special group
7 under par. (f) 59. shall be different from the word or symbol used to identify the
8 special group under par. (f) 50. and the design shall cover the entire plate. Special
9 group plates under par. (f) 61. shall display a bar and shield logo associated with
10 Harley-Davidson, Inc., on the left portion of the plates and the words “share the
11 road” on the bottom portion of the plates.

12 **SECTION 6.** 341.14 (6r) (e) of the statutes, as affected by 2009 Wisconsin Act 28,
13 section 2820, is amended to read:

14 341.14 **(6r)** (e) The department shall specify one combination of colors for
15 special group plates for groups or organizations which are not military in nature and
16 not special group plates under par. (f) 35. to 47., 50., and 59., for each professional
17 football team under par. (f) 55., and for each professional baseball team under par.
18 (f) 60. The department shall specify one combination of colors for special group plates
19 under par. (f) 35. to 47. Subject to par. (c), the department shall specify the word or
20 words comprising the special group name and the symbol to be displayed upon
21 special group plates for a group or organization which is not military in nature after
22 consultation with the chief executive officer in this state of the group or organization.
23 The department shall require that the word or words and symbol for a university
24 specified under par. (f) 35. to 47. be a registration decal or tag and affixed to the
25 special group plate and be of the colors for a university specified under par. (f) 35. to

SENATE BILL 456

SECTION 6

1 47. that the president of the University of Wisconsin System specifies. The
2 department shall consult the chief trademark officer of Harley-Davidson Michigan,
3 LLC before specifying the colors for the special group plate under par. (f) 61.

4 **SECTION 7.** 341.14 (6r) (f) 61. of the statutes is created to read:

5 341.14 **(6r)** (f) 61. Persons interested in supporting motorcycle safety.

6 **SECTION 8.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2009 Wisconsin Act
7 28, section 2824, is amended to read:

8 341.14 **(6r)** (fm) 7. After October 1, 1998, additional authorized special groups
9 may only be special groups designated by the department under this paragraph. The
10 authorized special groups enumerated in par. (f) shall be limited solely to those
11 special groups specified under par. (f) on October 1, 1998. This subdivision does not
12 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
13 19m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., ~~and 60.~~ and 61.

14 **SECTION 9.** 341.14 (6r) (j) of the statutes is created to read:

15 341.14 **(6r)** (j) From the appropriation under s. 20.395 (5) (ct), the department
16 shall pay reasonable licensing fees relating to the word or words or the symbol on,
17 or otherwise required for, special group plates under par. (f) 61.

18 **SECTION 10. Nonstatutory provisions.**

19 (1) Notwithstanding section 16.42 (1) (e) of the statutes, if this subsection takes
20 effect in fiscal year 2010-11, in submitting information under section 16.42 of the
21 statutes for purposes of the 2011-13 biennial budget bill, the department of
22 transportation shall submit information concerning the appropriation under section
23 20.395 (5) (cq) of the statutes as though the total amount appropriated under section
24 20.395 (5) (cq) of the statutes for the 2010-11 fiscal year was \$43,200 less than the

SAI-5

\$43,200
\$23,700

SAI-6

SENATE BILL 456

1 total amount that was actually appropriated under section 20.395 (5) (cq) of the
2 statutes for the 2010–11 fiscal year.

3 (2) No later than the first day of the 3rd month beginning after the effective date
4 of this subsection, the department of transportation shall consult with the chief
5 trademark officer of Harley–Davidson Michigan, LLC regarding all of the following:

6 (a) The design and colors for the special group plates under section 341.14 (6r)
7 (f) 61. of the statutes, as created by this act.

8 (b) The department of transportation’s obtaining of the approval described in
9 section 341.14 (6r) (b) 1. of the statutes, as affected by this act.

10 **SECTION 11. Fiscal changes.**

11 (1) In the schedule under section 20.005 (3) of the statutes for the appropriation
12 to the department of transportation under section 20.395 (5) (cq) of the statutes, as
13 affected by the acts of 2009, the dollar amount is increased by \$43,200 for the fiscal
14 year in which this subsection takes effect to increase funding for special registration
15 plates supporting motorcycle safety.

✓✓
SAI-
7

16 **SECTION 12. Effective date.**

17 (1) This act takes effect on the first day of the 7th month beginning after
18 publication.

19 (END)



**SENATE AMENDMENT 1,
TO 2009 SENATE BILL 456**

March 15, 2010 – Offered by Senator SULLIVAN.

1 At the locations indicated, amend the bill as follows:

2 ✓ **1.** Page 2, line 3: delete “14. b.,” and substitute “14.,”.

3 ✓ **2.** Page 2, line 8: delete lines 8 to 11.

4 ✓ **3.** Page 4, line 1: delete “\$43,200” and substitute “\$23,700”.

5 ✓ **4.** Page 4, line 2: delete the material beginning with “as” and ending with
6 “credited” on line 6.

7 ✓ **5.** Page 6, line 14: delete lines 14 to 17.

8 ✓ **6.** Page 6, line 24: delete “\$43,200” and substitute “\$23,700”.

9 ✓ **7.** Page 7, line 13: delete “\$43,200” and substitute “\$23,700”.

10

(END)



SENATE AMENDMENT 2,
TO 2009 SENATE BILL 456

April 9, 2010 - Offered by JOINT COMMITTEE ON FINANCE.

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 2, line 1: on lines 1 and 2, delete "(cs)" and substitute "(eh)".

3 ✓ 2. Page 2, line 2: delete "All" and substitute "From the general fund, all".

4 ✓ 3. Page 2, line 7: after that line insert:

5 "SECTION 1m. 25.40 (1) (a) 29. of the statutes is created to read:

6 25.40 (1) (a) 29. Moneys received under s. 341.14 (6r) (b) 14. that are deposited
7 into the general fund and credited to the appropriation account under s. 20.395 (5)
8 (eh)".

9 ✓ 4. Page 4, line 2: after "be" insert "deposited into the general fund and".

10 ✓ 5. Page 4, line 6: delete "(cs)" and substitute "(eh)".

11 (END)