



## 2011 SENATE BILL 330

1     **AN ACT** *to repeal* 194.405, 194.407 (2), 341.41 (5), (6), (8) and (9) and 342.12 (4);  
2             *and to amend* 194.17, 341.09 (2) (d), 341.09 (2m) (a) 1. a., 341.41 (1), 341.41  
3             (1a), 341.41 (1b) (c), 342.30 (2) and 343.30 (1r) of the statutes; **relating to:**  
4             limitations on the issuance of a certificate of title for a motor vehicle involved  
5             in certain operating while intoxicated offenses, technical changes that affect  
6             the period of revocation of a person's operating privilege, vehicle and insurance  
7             registration for motor carriers operating in multiple jurisdictions, and vehicle  
8             identification numbers assigned by the Department of Transportation  
9             (suggested as remedial legislation by the Department of Transportation).

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*Analysis by the Legislative Reference Bureau*

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

10           **SECTION 1.** 194.17 of the statutes is amended to read:

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1           **194.17 Penalties.** Every common motor carrier of property or of passengers,  
2 every contract motor carrier and every private motor carrier to which this chapter  
3 applies and every person who operates without obtaining a certificate under s.  
4 194.23 or license under s. 194.34, except a license for transporting exempt  
5 commodities, or without meeting the insurance requirements under s. 194.405 or  
6 194.41, shall forfeit not less than \$500 nor more than \$5,000. Any person who  
7 violates any other provisions of this chapter including the requirement to obtain a  
8 license to transport exempt commodities or the requirement to obtain a permit or  
9 who violates orders issued by the division of hearings and appeals or orders or rules  
10 issued by the secretary shall forfeit not less than \$50 nor more than \$100. Each  
11 violation constitutes a separate offense. In construing and enforcing the provisions  
12 of this section, the act, omission or failure of any officer, agent or servant or other  
13 person acting for or employed by any common motor carrier of property or of  
14 passengers, any contract motor carrier or any private motor carrier, done within the  
15 scope of employment is deemed to be the act, omission, or failure of the common motor  
16 carrier of property or of passengers, contract motor carrier or private motor carrier.

17           **SECTION 2.** 194.405 of the statutes is repealed.

18           **SECTION 3.** 194.407 (2) of the statutes is repealed.

19           **SECTION 4.** 341.09 (2) (d) of the statutes is amended to read:

20           341.09 (2) (d) The department may issue temporary operation plates for use  
21 on any vehicle except buses, for-hire vehicles and vehicles which are subject to  
22 registration under the international registration plan if the state is a party to such  
23 plan or vehicles which are subject to registration under s. 341.41 (9). The department  
24 shall determine the size, color, design, form and specifications of the plate. The

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1 department shall charge a fee of \$3 for each temporary operation plate issued under  
2 this subsection.

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

4 341.09 **(2m)** (a) 1. a. Except as provided in subd. 2., a state resident who  
5 purchases or leases from the dealer any type of vehicle except buses, for-hire vehicles  
6 and vehicles which are subject to registration under the international registration  
7 plan if the state is a party to such plan ~~or vehicles which are subject to registration~~  
8 ~~under s. 341.41 (9)~~, for use on such vehicle.

9 **SECTION 6.** 341.41 (1) of the statutes is amended to read:

10 341.41 **(1)** The secretary with the approval of the governor is authorized to  
11 enter into reciprocal agreements with the responsible officers of other jurisdictions  
12 as to licenses, mileage and flat taxes under which motor vehicles, trailers, or  
13 semitrailers properly licensed or registered in other jurisdictions may be operated  
14 in interstate commerce in this state without a Wisconsin registration or the payment  
15 of mileage or flat taxes, provided like privileges are accorded to vehicles owned by  
16 Wisconsin residents when operated in such other jurisdictions. Such agreement may  
17 include such restrictions, conditions and privileges, ~~including any proportional~~  
18 ~~registration, taxes or fees~~, as are deemed advisable. Such agreement shall provide  
19 that a resident of this state when using the highways of such other jurisdiction shall  
20 receive exemptions of a similar kind to a like degree.

21 **SECTION 7.** 341.41 (1a) of the statutes is amended to read:

22 341.41 **(1a)** The secretary with the approval of the governor is authorized to  
23 enter into reciprocal agreements with the responsible officers of other jurisdictions  
24 as to licenses, mileage and flat taxes under which motor vehicles, trailers or  
25 semitrailers properly licensed or registered in either jurisdiction, may be operated

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1 in intrastate commerce in either jurisdiction without additional base plate  
2 registration or the payment of mileage or flat taxes, providing like privileges are  
3 accorded Wisconsin licensed vehicles when operated in such other jurisdictions, and  
4 that this state will obtain a fair and equitable share of license registrations. Such  
5 agreement may include such restrictions, conditions and privileges, ~~including any~~  
6 ~~proportional registration, taxes or fees,~~ as are deemed advisable.

7 **SECTION 8.** 341.41 (1b) (c) of the statutes is amended to read:

8 341.41 **(1b)** (c) The vehicle displays ~~a Wisconsin tax permit, Wisconsin prorated~~  
9 ~~plate or other~~ some form of Wisconsin authorization unless operated in accordance  
10 with rules adopted under s. 341.40 (1) (d).

11 **SECTION 9.** 341.41 (5), (6), (8) and (9) of the statutes are repealed.

12 **SECTION 10.** 342.12 (4) of the statutes is repealed.

13 **SECTION 11.** 342.30 (2) of the statutes is amended to read:

14 342.30 **(2)** Except as provided in this subsection, an identification number  
15 assigned by the department to a vehicle shall be permanently affixed to a location  
16 on the vehicle specified by the department that is readily visible when observed from  
17 outside the vehicle, ~~as specified by the department by rule.~~ Identification numbers  
18 assigned for cycles shall be stamped on the left side, near the top of the engine casting  
19 just below the cylinder barrel. Such stamping or affixing shall be done under the  
20 supervision of a dealer, distributor or manufacturer registered under s. 341.51 or  
21 under the supervision of a peace officer. The person supervising the stamping or  
22 affixing shall make a report thereof to the department. The department shall  
23 establish forms to be provided to vehicle owners specifying the location, for various  
24 types of vehicles, where identification numbers assigned by the department shall be  
25 stamped or affixed.

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1 **SECTION 12.** 343.30 (1r) of the statutes is amended to read:

2 343.30 (1r) For any revocation the court orders under sub. (1q), the court shall  
3 extend the revocation period by the number of days to which the court sentences the  
4 person to imprisonment in a jail or prison for an offense related to the ~~refusal~~  
5 revocation.

6 **SECTION 13. Initial applicability.**

7 (1) The treatment of section 342.30 (2) of the statutes first applies to  
8 identification numbers assigned by the department of transportation on the effective  
9 date of this subsection.

10 **SECTION 14. Effective dates.** This act takes effect on the day after publication,  
11 except as follows:

12 (1) The treatment of section 342.30 (2) of the statutes takes effect on the first  
13 day of the 3rd month beginning after publication.

14 (END)