2013 DRAFTING REQUEST

Bill

Received:	**3/28/2013**	Received By:	**agary**
Wanted:	**As time permits**	Same as LRB:	**-1431**
For:	**Steve Kestell (608) 266-8530**	By/Representing:	**Rachel VerVelde (Grothman)**
May Contact:		Drafter:	**agary**
Subject:	**Transportation - motor vehicles**	Addl. Drafters:	
		Extra Copies:	

Submit via email: **YES**
Requester's email: **Rep.Kestell@legis.wisconsin.gov**
Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Vehicle registration

Instructions:

See attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	agary 3/28/2013	evinz 3/29/2013	jmurphy 3/29/2013	_____ _____			
/1				_____ _____	srose 3/29/2013	lparisi 4/1/2013	State S&L

FE Sent For:

At intro

<END>

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/?	agary	/1 eev 3/29/13	jm 3/29	Self			

FE Sent For:

<END>

Gary, Aaron

From: Gary, Aaron
Sent: Thursday, March 28, 2013 8:29 AM
To: Sen.Grothman
Cc: Kulow, Chris; Wood, Annie — Rep. Kestell's aides
Subject: RE: LRB 1431/P2

Hi Rachel,

I entered this request for Rep. Kestell's companion bill as LRB-2008.

Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Sen.Grothman
Sent: Tuesday, March 26, 2013 5:48 PM
To: Gary, Aaron
Subject: RE: LRB 1431/P2

Aaron,

Could you draft a companion bill and send it to Representative Kestell for LRB 1431/1?

Thanks!

Rachel A. VerVelde
Office of Senator Glenn Grothman
Rachel.VerVelde@legis.wi.gov
O: 608-266-7513

From: Gary, Aaron
Sent: Monday, March 11, 2013 3:21 PM
To: VerVelde, Rachel
Subject: RE: LRB 1431/P2

You'll have this shortly. Aaron

From: VerVelde, Rachel
Sent: Monday, March 11, 2013 1:35 PM

To: Gary, Aaron
Subject: LRB 1431/P2

Hi Aaron,

Senator Grothman is ready for an introducible draft of this legislation.

Thanks,

Rachel A. VerVelde
Office of Senator Glenn Grothman
Rachel.VerVelde@legis.wi.gov
O: 608-266-7513

State of Wisconsin
2013 – 2014 LEGISLATURE

Soon

in 3/28

LRB-~~[illegible]~~-2008/1
ARG:eev:jf

stays

RMWR

2013 BILL

companion – no changes

regen

AN ACT ***to renumber*** 341.01 (2) (a); ***to renumber and amend*** 340.01 (38m) and 341.269 (1); ***to amend*** 341.10 (6), 341.266 (1) (am) (intro.), 341.266 (1) (c) 2., 341.266 (2) (a), 341.269 (2) (a) and 341.269 (3); and ***to create*** 340.01 (38m) (a) 2., 341.01 (2) (af), 341.269 (1) (b) and 341.269 (6) of the statutes; **relating to:** motor vehicle registration by the Department of Transportation, historic military vehicles, and Kei class vehicles.

Analysis by the Legislative Reference Bureau

Current law provides for a special category of motor vehicle registration for "special interest vehicles," commonly known as "collector" vehicles. A vehicle may be eligible for registration as a collector vehicle if the vehicle: 1) is at least 20 years old, has not been altered or modified from its original manufacturer's specifications, and is being preserved for its historic interest, or 2) is, with an exception, at least 25 years old and is a specific type of former military vehicle, such as a Pinzgauer or Kaiser Jeep. The Department of Transportation (DOT) issues distinctive registration plates, commonly known as collector plates, for vehicles registered as collector vehicles. A collector vehicle may be reregistered for no additional fee. Collector vehicles are subject to minimal operating restrictions, most notably that they generally cannot be operated on the highways during the month of January.

Another special registration category recognized under current law allows a former military vehicle to be registered as a historic military vehicle if the vehicle

was manufactured for use in any country's military forces, is maintained to accurately represent its military design and markings, and either is a domestic vehicle or is imported and at least 25 years old. DOT issues special plates for these vehicles identifying them as historic military vehicles. Historic military vehicles are subject to significant operating restrictions and may be used only for special occasions such as display and parade purposes, including traveling to and from such events, and for necessary testing, maintenance, and storage purposes.

Also under current law, DOT must refuse registration of a vehicle that is originally designed and manufactured for off–highway operation unless the vehicle meets the provisions of a certain section of the National Traffic and Motor Vehicle Safety Act of 1966, as amended. However, this prohibition against registration does not apply to a former military vehicle being registered under the special registration categories for collector vehicles or historic military vehicles.

This bill modifies this ground for refusing vehicle registration. Under the bill, DOT must refuse registration of a vehicle that was manufactured after 1969 and does not meet manufacturer or importer certification label requirements as specified in federal regulations or that is a Kei class vehicle. However, this prohibition against registration does not apply to former military vehicles, regardless of the registration category for which the vehicle is registered. The bill defines a "former military vehicle" as a vehicle, including a trailer but excluding a tracked vehicle, that was manufactured for use in any country's military forces. This prohibition against registration also does not apply to collector vehicles being registered under the special registration category for collector vehicles. As under current law, this prohibition against registration also does not apply to a former military vehicle being registered under the special registration categories for collector vehicles or historic military vehicles.

The bill also modifies an eligibility requirement for registering a collector vehicle that is not a former military vehicle. Under the bill, a vehicle is eligible for registration as a collector vehicle if the vehicle is at least 20 years old, the vehicle's body has not been altered from the original, and the vehicle is being preserved for its historic interest.

The bill expands the circumstances under which a vehicle registered as a historic military vehicle may be operated. The bill allows these vehicles to be operated for occasional personal use, but not for regular transportation, and specifies that use for special occasions includes club activities, exhibitions, and tours. The bill also specifies that an owner of a vehicle registered as a historic military vehicle may store unregistered, operable or inoperable, historic military vehicles and parts vehicles for historic military vehicles on the owner's property if the vehicles and parts vehicles and the outdoor storage area do not constitute a health hazard and are screened from ordinary public view.

Under current law, an "off–road utility vehicle" is defined as a motor vehicle that: 1) is designed and constructed to carry no more than two persons and to be used for collecting waste, such as garbage, recyclables, and yard waste, for landscaping, or for incidental street maintenance; 2) is not certified for on–road use or is certified as meeting the equipment standards for a low–speed vehicle under federal

regulations; and 3) satisfies specified equipment standards under state law or the equipment standards under federal regulations for a low–speed vehicle. A "low–speed vehicle" for purposes of these provisions is a vehicle identified as such under applicable federal regulations.

Under current law, an off–road utility vehicle operated on a highway is exempt from motor vehicle registration with DOT if the vehicle is being operated in compliance with the following restrictions. A person may operate an off–road utility vehicle on a highway only if all of the following apply: 1) the highway has a speed limit of 35 miles per hour or less; 2) the person is employed by, or under contract with, the state or a local governmental unit; and 3) the off–road utility vehicle is being used for the state or local governmental purpose of collecting waste, landscaping, or performing incidental street maintenance and is operated on the highway for a distance of not more than half a mile.

Under this bill, a Kei class vehicle is an off–road utility vehicle. As such, the foregoing provisions relating to registration and operating restrictions apply to Kei class vehicles. A Kei class vehicle is prohibited from general vehicle registration with DOT but is afforded a limited registration exemption for operation as an off–road utility vehicle.

For further information see the ***state and local*** 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:

1 **SECTION 1.** 340.01 (38m) of the statutes is renumbered 340.01 (38m) (a) (intro.)
2 and amended to read:

3 340.01 **(38m)** (a) (intro.) "Off–road utility vehicle" means ~~a~~ <u>any of the following:</u>

4 <u>1. A</u> motor vehicle that is designed and constructed to carry no more than 2
5 persons and to be used for collecting residential and commercial solid waste, such as
6 yard waste, recyclable materials, and household garbage, refuse, and rubbish,
7 landscaping, or incidental street maintenances; that is not certified by the
8 manufacturer for on–road use or that is certified by the manufacturer as meeting the
9 equipment standards for a low–speed vehicle under 49 CFR 571.500; and that
10 satisfies the equipment standards for a Type 2 automobile or Type 2 motorcycle

under ch. 347 or the equipment standards for a low–speed vehicle under 49 CFR 571.500.

(b) "Off–road utility vehicle" does not include any motorized construction equipment or any motor vehicle that falls within another definition under this section.

SECTION 2. 340.01 (38m) (a) 2. of the statutes is created to read:

340.01 **(38m)** (a) 2. A Kei class vehicle.

SECTION 3. 341.01 (2) (a) of the statutes is renumbered 341.01 (2) (am).

SECTION 4. 341.01 (2) (af) of the statutes is created to read:

341.01 **(2)** (af) "Former military vehicle" means a vehicle, including a trailer but excluding a tracked vehicle, that was manufactured for use in any country's military forces.

SECTION 5. 341.10 (6) of the statutes is amended to read:

341.10 **(6)** The vehicle is ~~originally designed and manufactured for off–highway operation unless the vehicle meets the provisions of s. 114 of the national traffic and motor vehicle safety act of 1966, as amended, except as otherwise authorized by the statutes~~ was manufactured after 1969 and does not meet manufacturer or importer certification label requirements as specified in 49 CFR 567 or the vehicle is a Kei class vehicle. This subsection does not apply to former military vehicles, historic military vehicles, as defined in s. 341.269 (1) (a), for which the department receives an application, and which are eligible, for registration under s. 341.269 ~~or, with respect to a county or municipality, under s. 341.26 (2m)~~, or special interest vehicles, as defined in s. 341.266 (1) (c), for which the department receives an application, and which are eligible, for registration under s. 341.266.

SECTION 6. 341.266 (1) (am) (intro.) of the statutes is amended to read:

341.266 **(1)** (am) (intro.) ~~"Former~~ Notwithstanding s. 341.01 (2) (af), "former military vehicle" means any of the following vehicles if the vehicle is at least 25 years old:

SECTION 7. 341.266 (1) (c) 2. of the statutes is amended to read:

341.266 **(1)** (c) 2. A motor vehicle of any age, of which the body has not been altered ~~or modified~~ from the original ~~manufacturers specifications~~ and, because of its historic interest, is being preserved by ~~hobbyists~~ a collector.

SECTION 8. 341.266 (2) (a) of the statutes is amended to read:

341.266 **(2)** (a) Any person who is the owner of a special interest vehicle that is a former military vehicle, or that is not a former military vehicle and is 20 or more years old at the time of making application for registration or transfer of title of the vehicle, and who, unless the owner is an historical society that is exempt from federal income taxes, owns, has registered in this state, and uses for regular transportation at least one vehicle that has regular registration plates may upon application register the vehicle as a special interest vehicle upon payment of a fee under par. (b). ~~A former military vehicle may be registered under this paragraph notwithstanding s. 341.10 (6).~~

SECTION 9. 341.269 (1) of the statutes is renumbered 341.269 (1) (intro.) and amended to read:

341.269 **(1)** (intro.) In this section~~, "former~~:

(a) "Historic military vehicle" means a vehicle, including a trailer but excluding a tracked vehicle, that was manufactured for use in any country's military forces and is maintained to accurately represent its military design and markings, regardless of the vehicle's size or weight.

SECTION 10. 341.269 (1) (b) of the statutes is created to read:

341.269 **(1)** (b) "Parts vehicle" means a vehicle generally in nonoperable condition that is owned to furnish parts which will enable a historic military vehicle owner to restore, preserve, and maintain a historic military vehicle.

SECTION 11. 341.269 (2) (a) of the statutes is amended to read:

341.269 **(2)** (a) Any resident of this state who is the owner of a ~~former~~ historic military vehicle that is at least 25 years old at the time of making application for registration and has been imported into the United States from another country, or that is any age and has not been imported into the United States, may upon application register the vehicle under this section as a historic military vehicle upon payment of the fees specified in par. (b). The applicant has the burden of providing evidence satisfactory to the department that the vehicle may be registered under this section, including, if applicable, providing documentation demonstrating that a ~~former~~ historic military vehicle which is less than 25 years old was manufactured for U.S. military forces and was never imported.

SECTION 12. 341.269 (3) of the statutes is amended to read:

341.269 **(3)** A vehicle registered under this section may only be used for special occasions such as display and parade purposes, club activities, exhibitions, and tours, including traveling to and from such events, ~~and~~ for necessary testing, maintenance, and storage purposes, and for occasional personal use, but not for regular transportation.

SECTION 13. 341.269 (6) of the statutes is created to read:

341.269 **(6)** The owner of a historic military vehicle may store unregistered, operable or inoperable, historic military vehicles and parts vehicles on the owner's property if the vehicles and parts vehicles and the outdoor storage area are maintained in such a manner that they do not constitute a health hazard and are

1 screened from ordinary public view by means of a fence, rapidly growing trees,
2 shrubbery, or other appropriate means.

3 **SECTION 14. Initial applicability.**

4 (1) The treatment of sections 341.10 (6) and 341.266 (1) (c) 2. of the statutes first
5 applies to applications for registration received by the department of transportation
6 on the effective date of this subsection.

7 (2) The treatment of section 341.269 (3) of the statutes first applies to vehicles
8 operated on the effective date of this subsection.

9 **SECTION 15. Effective date.**

10 (1) This act takes effect on the first day of the 3rd month beginning after
11 publication.

12 **(END)**

Basford, Sarah

From: Wood, Annie
Sent: Monday, April 01, 2013 9:24 AM
To: LRB.Legal
Subject: Draft Review: LRB -2008/1 Topic: Vehicle registration

Please Jacket LRB -2008/1 for the ASSEMBLY.

Thank you.