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CHAPTER 320

AN ACT to repeal 85.01 (4) (fm) and 194.47 to 194.50; to amend 20.49 (2) (a) and (7e), 85.01 (1), 85.055 (1) and (2) and 194.16; to repeal and recreate 85.01 (4) (c), (e) and (f); and to create 85.01 (2a) and (4) (cc), (cd) and (dm) of the statutes, relating to registration of certain motor vehicles and making an appropriation.

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

SECTION 1. 20.49 (2) (a) and (7e) of the statutes are amended to read:
20.49 (2) (a) On December 15, * * * 1953, and annually thereafter, to each town, village, and city, a privilege highway tax in an amount as herein set forth in lieu of the general property tax heretofore assessed on motor vehicles. Each town, village and city shall receive an amount equal to * * * 11 per cent of the net registration fees derived

from motor vehicles customarily kept in such town, village or city in the fiscal year ended the previous June 30 and registered under the provisions of s. 85.01 (4) (c) and 20 per cent of the net registration fees derived from all other motor vehicles registered under s. 85.01, but in no case less than the approximate amount collected by said municipalities from the property tax on motor vehicles levied in the year 1930 as computed under ch. 22 * * *, laws of 1931.

(7c) For the improvement of connecting streets and state trunk highways in cities and villages and to supplement the appropriation made under s. 20.49 (9) (a) to carry out the purposes of s. 84.03 (9), * * * \$3,800,000, which amount may be used either independent of or in conjunction with any other funds which may be made available under s. 20.49, or otherwise, for the same purpose. All of such funds shall be apportioned for connecting streets and state trunk highways in cities and villages until all federal road aid allocated for such projects in cities and villages shall have been matched in full.

SECTION 2. 85.01 (1) of the statutes is amended to read:

85.01 (1) No automobile, motor truck, motor delivery wagon, bus, motor cycle or other similar motor vehicle or trailer or semitrailer used in connection therewith, shall be operated upon any highway unless the same shall have been registered in the office of the motor vehicle department, and the registration fee paid. Any person who shall operate an automobile or motor cycle, or any person, except as hereinafter provided, who shall operate after July 15, a motor truck, tractor truck, bus, tractor, trailer or semitrailer, unless the same shall have been registered, as hereinbefore provided, may be arrested by any sheriff, deputy sheriff, city or village marshal, constable or any other police officer, and brought before any judge of a court of record or justice of the peace. Such judge or justice shall impose the penalty provided by sub. (12), and in addition require such person to make application for registration and pay the fee therefor, and \$2 in addition thereto. Such judge or justice shall forthwith forward such application and fee to the motor vehicle department, and pay the \$2 collected in addition to the registration fee to the informant. The absence of number plates shall be prima facie evidence that the vehicle is not registered. The provisions of this subsection shall not apply to any motor vehicle while being operated by any dealer or distributor, in accordance with the provisions of s. 85.02, nor to any motor vehicle while being operated by any private person within a period of 10 days from the date of purchase of such vehicle by such private person, provided that application for registration has been made, or to any vehicle displaying official permit issued by the motor vehicle department. The motor vehicle registration fee for any vehicle registered under this chapter as a bus, truck, trailer or semitrailer may be paid on a quarterly basis when the registered gross weight of such vehicle is 8,000 pounds or more, or any vehicle operated in conjunction with another such vehicle as a unit having an aggregate combined registered gross weight of 8,000 pounds or more. The quarterly registration fee for each quarter shall be one-quarter of the annual fee plus \$1. The quarters are the 3-month periods commencing on July 1, October 1, January 1 and April 1; and no vehicle permit shall be issued * * * until such quarterly or annual registration fee shall have been paid. The quarterly permit plate so issued shall cover all licenses * * * and fees * * * and shall be in lieu of the license number plate issued for the quarter period for which it is issued. No such quarterly plate shall be issued except it appear by affidavit that such vehicle was not operated on the highways of this state during the previous quarter of the license year without the payment of the annual or quarterly registration fee due for such previous quarter. If such vehicle was not operated on the highways during any quarter it shall be exempt from the payment of the registration fee for such quarter in which it was not used. If such vehicle is new or has not previously been registered in this state, and the time of registration falls within any such quarter, the owner thereof may at his option pay for the remainder of the quarter during which he desires to so operate which fee shall be computed on the basis of one-twelfth of the annual fee multiplied by the number of months within the quarter which have not fully expired. The quarterly registration fees so collected shall be deposited in the state treasury. The provisions of sub. (4) (h) shall not apply to the provisions of this subsection relating to quarterly payment.

SECTION 3. 85.01 (2a) of the statutes is created to read:

85.01 (2a) APPLICATION IN SPECIAL CASES. Whenever the holder of a common carrier certificate or contract carrier license issued by the public service commission shall operate a motor truck or truck tractor as defined in s. 85.10 (5) and (6) under the certificate or license of such holder, it shall cause such vehicle to be registered in the name of the legal owner under sub. (4) (c). Such vehicle may be registered by such operator in the name of owner, lessee. This subsection shall not affect the interchange of trailers permitted under s. 85.05 (2) (d).

SECTION 4. 85.01 (4) (e) of the statutes is repealed and recreated to read:

85.01 (4) (c) *Motor trucks and truck tractors.* 1. All motor trucks and truck tractors as defined in s. 85.10 (5) and (6) shall be registered on the basis of the maximum gross weight of such truck and the maximum combined gross weight of such truck tractor and any semitrailer which the applicant proposes to combine with such truck tractor in accordance with the following weight schedule and at the following annual fee:

	<i>Proposed Fee</i>
Not more than 3,000	\$ 16.00
Not more than 4,500	25.00
Not more than 6,000	35.00
Not more than 8,000	55.00
Not more than 10,000	90.00
Not more than 12,000	115.00
Not more than 14,000	140.00
Not more than 16,000	165.00
Not more than 18,000	190.00
Not more than 20,000	215.00
Not more than 22,000	240.00
Not more than 24,000	265.00
Not more than 26,000	290.00
Not more than 28,000	315.00
Not more than 30,000	350.00
Not more than 32,000	375.00
Not more than 34,000	400.00
Not more than 36,000	425.00
Not more than 38,000	450.00
Not more than 40,000	475.00
Not more than 42,000	500.00
Not more than 44,000	535.00
Not more than 46,000	560.00
Not more than 48,000	585.00
Not more than 50,000	610.00
Not more than 52,000	635.00
Not more than 54,000	660.00
Not more than 56,000	685.00
Not more than 58,000	710.00
Not more than 60,000	735.00
Not more than 62,000	770.00
Not more than 64,000	805.00
Not more than 66,000	840.00
Not more than 68,000	875.00

2. The gross weight in pounds shall in every case be arrived at by adding together the weight in pounds of the vehicle, or combination of vehicles, when equipped to carry a load and the maximum load carried by the vehicle or combination of vehicles in pounds.

SECTION 5. 85.01 (4) (cc) and (cd) of the statutes are created to read:

85.01 (4) (cc) *Milk tank tractor-semitrailer combinations.* 1. In recognition of the necessity of marketing dairy products and in furtherance of the economy of the dairy industry and the state, motor vehicles used exclusively for transporting liquid dairy products in a tank truck or a tractor tank semitrailer or trailer combination shall be registered at a fee equal to 60 per cent of the fee specified in par. (c) for a combination of the same gross weight.

1m. In recognition of the relationship of the basic economy of the state to the production of milk, motor vehicles used exclusively in the transportation of milk from the point of production to the primary market shall be registered at a fee of \$15 less than the fees specified in par. (c) for trucks of the same gross weight.

2. Where an owner of truck tractors has an excess of tractors over tractors and semitrailers registered in combination under this paragraph and used exclusively for the transportation of liquid dairy products, the owner shall be allowed to register the excess tractor at the annual fee specified in par. (c), providing such owner uses such tractor interchangeably with other semitrailers owned by him and registered in combination within this state.

3. As used in this paragraph "liquid dairy products" includes milk and products of milk in liquid form, including without limitation because of specific enumeration herein the following: condensed and sweetened condensed products of milk, both in raw and pasteurized form.

85.01 (4) (cd) *Special mobile equipment.* The annual registration fee for the following types of special mobile equipment shall be:

1. Any motor truck or any traction well-drilling rig permanently equipped with a well-drilling outfit and used exclusively for well-drilling purposes, \$10.

2. Any motor truck or any traction sawmill or corn sheller rig permanently equipped with a portable sawmill or corn sheller outfit and used exclusively for sawmill or corn sheller purposes, \$10.

3. Any trailer not used for hire and used for transporting any ditching machine which is used exclusively for farm ditching or for the loading of gravel or other road material and which has a dipper capacity of not to exceed five-eighths of a yard, \$10.

4. Any motor vehicle, trailer or semitrailer, if operated empty, or transporting the equipment of the owner to or from a certain location over the public highways, when such operation at the location is the performance of work on a contract for the construction or maintenance of highways or airports for the United States, state or any political subdivision thereof, \$10.

5. Any motor vehicle, trailer or semitrailer, if operated empty, or transporting the equipment of the owner to and from a certain location over the public highways, when such operation at the location is the production of agricultural lime, \$10.

6. Any motor vehicle, trailer or semitrailer, if operated empty, or transporting the equipment of the owner to and from a certain location over the public highways, when such operation at the location is the clearing of land, dike building, terracing and ditching for the purpose of soil erosion controlled, farm drainage or forestry, \$10.

7. Mobile cranes used for bridges and building construction, ditching and excavating, heavy machinery removal or installation and loading and handling of heavy articles, \$10.

8. Any trailer or semitrailer permanently equipped with a well-drilling outfit or designed for moving pea viners and used exclusively for either of such purposes, no fee.

9. Tractors used exclusively in agricultural operations, including threshing, or used exclusively to provide power to drive other machinery, or to transport from job to job machinery driven by such tractor, or tractors used exclusively for construction operations, no fee.

SECTION 5a. 85.01 (4) (dm) is created to read:

85.01 (4) (dm) *Busses.* For the registration of each motor vehicle having a passenger carrying capacity of more than 7 persons used for the transportation of passengers which takes place entirely within contiguous incorporated cities or villages and in municipalities contiguous to that in which the motor carrier has its principal place of business, or entirely within one municipality or municipalities contiguous thereto, or each motor vehicle which is operated as auxiliary to or a part of a street railway system the following annual fees: under 3 tons, a fee of \$20; having a gross weight of 3 tons or more and less than 4 tons, a fee of \$35; having a gross weight of 4 tons or more and less than 5 tons, a fee of \$60; if the gross weight is 5 tons or more a fee of \$60, plus a fee of \$25 for each ton or fraction thereof in excess of 5 tons. The gross weight in tons of the passenger carrying motor vehicles specified in this paragraph shall be in every case determined by adding together the weight of pounds of the vehicle when equipped ready to carry passengers and the total passenger weight capacity in pounds divided by 2,000. The total passenger weight capacity in pounds shall be determined by dividing the total length of seating space therein or thereon, including the driver's seat, by 20 inches and multiplying this result by 150.

SECTION 6. 85.01 (4) (e) of the statutes is repealed and recreated to read:

85.01 (4) (e) *Trailers, semitrailers.* 1. For the registration of each trailer defined in s. 85.10 (11), except cabin trailers, designed to be hauled by a motor vehicle other than a truck tractor, one-half the annual fee specified in par. (e) for a motor truck of the same maximum gross weight.

2. For the registration of each semitrailer defined in s. 85.10 (12) operated in connection with a truck tractor an annual fee of \$10.

SECTION 7. 85.01 (4) (f) of the statutes is repealed and recreated to read:

85.01 (4) (f) *Road tractors.* For the registration of all road tractors as defined in s. 85.10 (7) and not exempt under par. (ee) the fees prescribed in par. (e) for trucks of the same gross weight.

SECTION 8. 85.01 (4) (fm) of the statutes is repealed.

SECTION 9. 85.055 (1) and (2) of the statutes are amended to read:

85.055 (1) Operators or owners of motor vehicles which have a gross weight of 8,000 pounds or more or which are operated in conjunction with other vehicles as a unit having an aggregate combined gross weight of 8,000 pounds or more, as a condition precedent to being granted the reciprocity privileges under s. 85.05, shall first file with the motor

vehicle department in this state an instrument in writing, subscribed by him and duly acknowledged before a notary public or other officer with like authority, setting forth the name and address of the owner and such information as the motor vehicle department shall require. A motor vehicle within the meaning of this section shall be deemed to be a motor * * * truck or truck tractor as defined in * * * s. 85.10.

(2) Upon compliance with this section by a nonresident motor vehicle owner or operator, the motor vehicle department shall issue to him an identification plate for each vehicle so registered. The identification plate shall be carried and displayed on the motor vehicle which is identified on the application blank for such registration. Upon such compliance, such owner is entitled to operate such motor vehicle within the state for and during such time as he continues to own such motor vehicle with license to operate the same in his own state or county. Administration costs of this section shall be chargeable to the funds collected under * * * s. 85.01 (4) (c).

SECTION 10. 194.16 of the statutes is amended to read:

194.16 No motor carrier of property or of passengers shall operate any motor vehicle under any permit issued pursuant to this chapter, while delinquent in the payment of any part of the * * * fees provided under ch. 85.

SECTION 11. 194.47 to 194.50 of the statutes are repealed effective June 30, 1953.

SECTION 12. SEVERABILITY. If any provision, sentence, clause or word of this act or the application thereof to any person or circumstance is held invalid, the remainder of this act or the application of such provision, sentence, clause or word to other persons or circumstances shall not be affected thereby.

SECTION 13. This act shall take effect July 1, 1953.

Approved June 26, 1953.
