

No. 421, S.]

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CHAPTER 554

AN ACT to amend 218.01 (2) (i), 340.01 (11), 341.05 (1), 341.47 (1), 341.50 (3), 341.55 (1) and (2) and 342.20 (2) (a), as created by chapter 260, laws of 1957 (Bill No. 99, S.); and to create 341.57 of the statutes, relating to the registration of and use of registration plates issued to dealers, distributors, manufacturers and finance companies and the titling of vehicles owned or repossessed by such persons, and providing penalties.

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

SECTION 1. 218.01 (2) (i) of the statutes is amended to read:

218.01 (2) (i) Application for dealers' licenses shall be submitted to the department in duplicate and contain such information as the licensors * * * require. Application for sales finance company licenses shall contain such information as the commissioner * * * requires. No motor vehicle dealer or sales finance company, unless so licensed, shall be permitted to register or receive or use * * * registration plates under * * * ss. 341.47 to 341.57. The department shall transmit the duplicate copy of each application for a dealer's license to the commissioner with \$1 for each application fee to cover the fee required under par. (d) (8) and the commissioner shall issue a sales finance company license to the dealer if no prior sales finance company license has been suspended or revoked, and if *the* applicant meets the requirements of this section relating to sales finance companies.

SECTION 2. 340.01 (11) of the statutes as created by chapter 260, laws of 1957 (Bill 99, S.), is amended to read:

340.01 (11) "Dealer" means a person who, for a commission or other thing of value, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale or exchange of an interest in motor vehicles, mobile homes, trailers or semitrailers, or who is engaged wholly or in part in the business of selling motor vehicles, mobile homes, trailers or semitrailers, whether or not such vehicles are owned by him, * * * but not including:

(a) A receiver, trustee, administrator, executor, guardian or other person appointed by or acting under the judgment or order of any court; or

(b) A public officer while performing his official duty; or

(c) An employe of a person enumerated in pars. (a) or (b); or

(d) A finance company licensed under s. 115.09 or 218.01 who sells or offers for sale motor vehicles repossessed or foreclosed by it under the terms of a security contract.

SECTION 3. 341.05 (1) of the statutes, as created by chapter 260, laws of 1957 (Bill No. 99, S.), is amended to read:

341.05 (1) Is operated in accordance with the provisions relating to registration of dealers, distributors, manufacturers * * *, transporters or finance companies; or

SECTION 4. 341.47 (1) of the statutes, as created by chapter 260, laws of 1957 (Bill No. 99, S.), is amended to read:

341.47 (1) Except as provided in sub. (2), any motor vehicle, mobile home, trailer or semitrailer owned or repossessed by a dealer, distributor or manufacturer may be operated on the highways of this state for either private or business purposes without being registered if such vehicle has displayed upon it valid registration plates issued pursuant to s. 341.51 to the dealer, distributor or manufacturer who is the owner of the vehicle or holder of the repossessed vehicle and such vehicle:

(a) Is actually offered for sale by a dealer, distributor or manufacturer; or

(b) Is in transit from the factory to a distributor or dealer or from the dealer to the purchaser; or

(c) is being used by a manufacturer primarily for trial tests; or

(d) Is being repossessed, being reconditioned for resale or being foreclosed or resold.

SECTION 5. 341.50 (3) of the statutes, as created by chapter 260, laws of 1957 (Bill No. 99, S.), is amended to read:

341.50 (3) This section does not apply to * * * persons who deal only in power driven cycles or motor bicycles.

SECTION 6. 341.55 (1) and (2) of the statutes, as created by chapter 260, laws of 1957 (Bill No. 99, S.), are amended to read:

341.55 (1) A dealer, distributor or manufacturer or an employe of any of them who operates or consents to the operation of a vehicle under purported authority of a registration plate issued to the dealer, distributor or manufacturer pursuant to s. 341.51 when such vehicle is not owned or being repossessed by the dealer, distributor or manufacturer or, even though owned or being repossessed by the dealer, distributor or manufacturer, does not come within any of the exceptions listed in s. 341.47 (1) (a) to * * * (d);

(2) Any person who operates a vehicle under purported authority of a registration plate issued to a dealer, distributor or manufacturer pur-

suant to s. 341.51, knowing that such vehicle is not owned *or being repossessed* by a dealer, distributor or manufacturer or does not come within any of the exceptions listed in s. 341.47 (1) (a) to * * * (d);

SECTION 7. 341.57 of the statutes is created to read;

341.57 REGISTRATION OF FINANCE COMPANIES. (1) Any motor vehicle owned or being repossessed by a finance company licensed under s. 115.09 or 218.01 may be operated on the highways of this state for any necessary purpose in repossessing, reconditioning or reselling such vehicle without such vehicle being registered if the vehicle has displayed upon it a valid registration plate issued to such licensee pursuant to this section.

(2) A finance company licensed under s. 115.09 or 218.01 may apply to the department for registration on such form as the department shall provide. Upon receipt of the application together with a registration fee of \$25, the department shall register the applicant and shall issue one registration plate containing the registration number assigned to the applicant. The department upon receiving a fee of \$1 for each additional plate desired by the applicant shall issue such additional plates as the applicant orders. Section 341.52 applies to the design of the plates. The registration and plates are valid only during the calendar year for which issued. Plates are transferable from one motor vehicle to another.

(3) Any of the following may be fined not more than \$200 or imprisoned not more than 6 months or both:

(a) Any person who makes a false statement in an application for registration under this section.

(b) Any person who uses a plate issued pursuant to this section otherwise than as authorized by this section.

(c) Any person other than the registered owner thereof who uses a plate issued pursuant to this section.

(4) Upon conviction of a licensee under sub. (3), the department may revoke or suspend the registration of the licensee and require surrender of the licensee's registration plates issued pursuant to this section.

SECTION 8. 342.20 (2) (a) of the statutes, as created by chapter 260, laws of 1957 (Bill No. 99, S.), is amended to read:

342.20 (2) (a) Application therefor accompanied by the required fee is made by a dealer licensed under s. 110.09 or 218.01 *or a finance company licensed under s. 115.09 or 218.01* and the vehicle in question is a used vehicle for which the department had issued a certificate of title to the previous owner or a vehicle previously registered in another jurisdiction or is a mobile home; or

SECTION 9. This act shall take effect July 1, 1958.

Approved August 7, 1957.
