

Chapter Trans 132

TEMPORARY LICENSE PLATE AND PERMITS

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Trans 132.01 Purpose and scope. (1) STATUTORY AUTHORITY. As authorized by ss. 110.06 (1), 227.11 and 341.09, Stats., the purpose of this chapter is to establish the department's administrative interpretations of ss. 341.04 and 341.09, Stats., relating to issuance of temporary operation vehicle license plate and permits.

(2) APPLICABILITY. This chapter applies to any licensed Wisconsin motor vehicle dealer participating in the issuance of temporary plates or to any vehicle owner purchasing a temporary plate from a dealer or the department.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1987, No. 384.

Trans 132.02 Definitions. In this chapter:

(1) "Bus" means a vehicle as defined in s. 340.01 (31) and (56), Stats.

(2) "Dealer" means a retail dealer as defined by s. 340.04 (11), Stats.

(3) "Department" means the Wisconsin department of transportation.

(4) "For hire vehicle" means a vehicle operated for compensation as described in s. 194.01 (15), Stats.

(5) "IRP vehicle" means a vehicle registered under s. 341.405, Stats., as part of the international registration plan.

(6) "Non-resident" means a vehicle owner as described in s. 340.01 (37), Stats.

(7) "Plate" means a temporary operation plate issued under s. 341.09, Stats.

(8) "Resident" means a vehicle owner who does not meet the definition of "non-resident".

(9) "Vehicle" has the same meaning as in s. 340.01 (74), Stats., except that those vehicles as defined in subs. (1), (4) and (5) are excluded.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

Trans 132.03 Plate. The temporary plate in s. 341.09 (2) (d), Stats., shall be approximately 6" x 12" and shall contain:

(1) The word "Wisconsin".

(2) A 6 character number.

(3) The words "temporary operation plate" or "in transit plate".

(4) The expiration date.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84; correction made under s. 13.93 (2m) (b) 1., Stats., Register, August, 1996, No. 488.

Trans 132.04 Plate display, usage and restrictions.

(1) PLATE DISPLAY. (a) As provided by s. 341.15, Stats., only a single plate shall be issued per vehicle and shall be attached firmly and rigidly in a horizontal position to the rear of the vehicle, unless the vehicle is a truck tractor or a road tractor, as defined in s. 340.01 (53) and (73), Stats., then the plate shall be attached to the front of the vehicle.

(b) If the vehicle is equipped with a plate bracket provided by the vehicle manufacturer, the plate shall be affixed to the bracket. If the vehicle is not equipped with a plate bracket, the plate shall be conspicuously displayed as required in par. (a).

(c) No person shall display upon any vehicle a plate not issued for that vehicle.

(2) USAGE. Use of the temporary plate is limited to the vehicle purchased, as evidenced by the issued receipt.

Note: Form MVD 2467 or other receipt issued by the department.

(3) RESTRICTIONS. (a) No person shall duplicate, reproduce or copy any plate.

(b) Altering the originally stated expiration date is prohibited.

(c) Use of the plate does not allow a vehicle to be operated at a gross weight greater than that for which regular registration fees have been paid.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

Trans 132.05 Issuance to dealers. (1) A dealer may purchase plates for resale to either a resident or non-resident vehicle purchaser.

(2) A dealer is prohibited from selling, loaning, buying or borrowing a plate from another person or dealer for subsequent resale.

(3) No less than 5 plates shall be ordered by and issued to a dealer, and additional plates shall be ordered and issued in multiples of 5 plates, for example 5, 10 or 15 plates at a time.

(4) A dealer may order plates by a written request that includes the dealer license number, phone number and dealership name and address. The order shall be accompanied by the license fee established by s. 341.09 (2m) (a), Stats.

Note: The fee is \$15 for each group of 5 plates (\$3 per plate). Dealer orders for temporary plates shall be mailed or delivered to Dealer Section, Department of Transportation, P.O. Box 7909, Madison, Wisconsin, 53707.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

Trans 132.06 Issuance by dealers to purchasers. (1) A dealer may resell a plate at the fee established by s. 341.09 (2m) (a), Stats., to any resident or non-resident who purchases from the dealer any type of vehicle except buses, for-hire vehicles, and IRP vehicles.

(2) Purchase of a plate by a resident or non-resident vehicle purchaser is optional, except that a dealer may not issue a plate to a resident purchaser unless the dealer has collected all required fees, including regular registration fees.

Note: This provision does not allow a vehicle to be operated without proper registration under s. 341.04 or 341.40, Stats. If a non-resident purchaser has not purchased a plate from the selling dealer or does not have a valid plate to transfer, the vehicle cannot be legally operated.

(3) A dealer shall prepare a receipt, which includes the plate number, expiration date, purchaser's name and address, date issued, fee paid, description of vehicle purchased, dealer's name, address and phone number, and signature of the dealer's representative for each plate issued. The original copy shall be given to the

purchaser and a copy shall be retained by the dealer as required by s. Trans 132.06.

Note: Form MVD 2467 is the receipt for temporary plate fees.

(4) For each plate issued, the dealer shall validate and affix the plate to the vehicle purchased in the manner specified by s. Trans 132.04 (1). The plate is validated by legibly writing the expiration date, which shall be plainly visible, in the specified area on the plate and securing with transparent tape, by removing backing, over the stated expiration date, which, under s. 341.09 (4) and (2m), Stats., is 30 days from delivery date for non-residents and 60 days from delivery date for residents.

(5) As provided by s. 341.16 (1), Stats., whether or not the dealer issues a plate and receipt to the purchaser, within 7 business days following sale and delivery of a vehicle to a purchaser, the dealer shall mail or deliver to the department the purchaser's title and registration application and fees, except that:

(a) Upon sale of a vehicle to a non-resident, the dealer need not submit the purchaser's application for Wisconsin title, unless the dealer determines that the title is necessary to protect the interests of a secured party.

(b) The dealer shall determine whether a title and perfection of security interest are required, and is liable for any damages as a result of the dealer's failure to perfect a security interest of which the dealer had knowledge.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

Trans 132.07 Dealer records. (1) The dealer shall maintain complete and accurate plate and receipt records, which shall be open for inspection by the department or any law enforcement official, as provided by s. 342.16 (2), Stats., including a copy of each receipt issued to a vehicle purchaser, in numerical order by plate number.

Note: Form MVD 2467 is the receipt for temporary plate fees.

(2) The dealer shall be responsible for security and accountability of plates purchased from the department, but not yet issued to vehicle purchasers.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

Trans 132.08 Withdrawal of dealer issuance privilege. (1) A dealer shall have the privilege to issue plates withdrawn and plates ordered by, issued to, or in possession of a dealer

shall be returned to the department under s. 341.09 (2m) (d), Stats., when the dealer:

(a) Has discontinued business or the dealer's license has been denied, suspended or revoked.

(b) Has failed to comply with this chapter.

(c) Has violated any law related to the sale of vehicles.

(2) Within 30 days after denial or issuance of an order, the dealer may request a hearing before the transportation commission under s. 341.09 (2m) (d), Stats. The dealer shall not issue any plates until the transportation commission has held its hearing and not unless the finding is in the dealer's favor.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

Trans 132.09 Refunds and replacement plates. (1) REFUNDS. A refund of the original fee established in s. 341.09 (2b) (d) and (2m) (a), Stats., for each unused temporary plate shall be made when:

(a) The dealer has discontinued business and has surrendered the plates to the department.

(b) The dealer's privilege to issue temporary plates has been withdrawn under the provisions of s. 341.09 (2m) (d), Stats., or s. Trans 132.09, and the dealer has surrendered the plates.

(2) REPLACEMENTS. No replacements shall be issued unless the dealer receives the temporary plates from the department in damaged or unacceptable condition and notifies the department within 5 days of receipt.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

Trans 132.10 Temporary operation permit. As authorized by s. 341.04 (1), Stats., a receipt for application for regular registration issued by the department, or by a dealer under s. 342.16 (1), Stats., shall serve as a temporary operation permit.

Note: The department issues Form MV 1 and Form MVD 4018 as receipts.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.

Trans 132.11 Temporary plate for military personnel. Under s. 341.09 (3), Stats., military personnel may obtain a temporary operation plate from the department, which shall be the plate described in s. Trans 132.03 (1), upon presenting to the department military leave or furlough papers. No fee shall be charged for issuance of this plate.

History: Cr. Register, June, 1984, No. 342, eff. 7-1-84.