



2009 ASSEMBLY BILL 582

November 16, 2009 - Introduced by Representatives NASS, VUKMIR, VOS, KNODL, LOTHIAN, BIES, KRAMER and PETROWSKI, cosponsored by Senators GROTHMAN and A. LASEE. Referred to Committee on Urban and Local Affairs.

1 **AN ACT** *to repeal* 20.395 (5) (iv), 341.307 (4) (f) and 341.35; *to amend* 79.03 (3)
2 (b) 4. a., 341.35 (5), 341.35 (6) and 349.03 (2); and *to create* 341.35 (9) of the
3 statutes; **relating to:** eliminating the authority of municipalities and counties
4 to impose a local motor vehicle registration fee.

Analysis by the Legislative Reference Bureau

Under current law, any city, village, or town (municipality) or county may, by ordinance, impose an annual motor vehicle registration fee on most automobiles and light-duty trucks customarily kept in the municipality or county. The Department of Transportation (DOT) collects this local registration fee, which is in addition to the state registration fee, at the time DOT collects the state registration fee and remits the local registration fee, minus administrative costs of collection, to the applicable municipality or county. The local registration fee may only be used by a municipality or county for transportation purposes.

This bill eliminates, after a phase-out period, the authority of municipalities and counties to impose the local registration fee. After the bill becomes effective, a municipality or county cannot impose a new local registration fee or modify an existing local registration fee. For those municipalities and counties that already have a local registration fee when the bill becomes effective, collection of the fee must cease within about 18 months after the bill's effective date and the authority to impose the fee is thereafter terminated.

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For further information see the *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1 **SECTION 1.** 20.395 (5) (iv) of the statutes is repealed.

2 **SECTION 2.** 79.03 (3) (b) 4. a. of the statutes is amended to read:

3 79.03 **(3)** (b) 4. a. “Local general purpose taxes” means the portion of tax
4 increments collected for payment to a municipality under s. 66.1105 which is
5 attributable to that municipality’s own levy, the portion of environmental
6 remediation tax increments collected for payment to a municipality or county under
7 s. 66.1106 that is attributable to that municipality’s or county’s own levy, general
8 property taxes, excluding taxes for a county children with disabilities education
9 board, collected to finance the general purpose government unit, property taxes
10 collected for sewage and sanitary districts, monthly municipal permit fees under s.
11 66.0435 (3), and the proceeds of county sales and use taxes ~~and municipal and county~~
12 ~~vehicle registration fees under s. 341.35 (1).~~

13 **SECTION 3.** 341.307 (4) (f) of the statutes, as created by 2009 Wisconsin Act 28,
14 is repealed.

15 **SECTION 4.** 341.35 of the statutes, as affected by 2009 Wisconsin Act ... (this
16 act), is repealed.

17 **SECTION 5.** 341.35 (5) of the statutes is amended to read:

18 341.35 **(5)** PAYMENT OF FEES. At the time a motor vehicle is first registered or
19 at the time of registration renewal, the applicant shall pay to the department any fee
20 imposed by a county or municipality under this section in addition to fees required
21 under this chapter. No applicant is required to pay to the department a fee under

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1 this subsection after the first day of the 19th month beginning after the effective date
2 of this subsection [LRB inserts date].

3 **SECTION 6.** 341.35 (6) of the statutes is amended to read:

4 341.35 (6) DEPARTMENT TO REMIT FEES TO MUNICIPALITIES AND COUNTIES.
5 Beginning July 1, 1984, and annually thereafter, the department shall remit those
6 moneys collected under this section, less administrative costs under sub. (6m), to any
7 municipality or county which has imposed a fee under this section. The department
8 may by rule provide that the moneys be remitted at more frequent intervals if the
9 department deems it advisable. The department may not collect any moneys under
10 this section after the first day of the 19th month beginning after the effective date
11 of this subsection [LRB inserts date].

12 **SECTION 7.** 341.35 (9) of the statutes is created to read:

13 341.35 (9) SUNSET. (a) No municipality or county may enact or modify an
14 ordinance imposing a registration fee under sub. (1) on or after the effective date of
15 this paragraph [LRB inserts date].

16 (b) Any ordinance imposing a registration fee under sub. (1) that was enacted
17 by a municipality or county prior to the effective date of this paragraph [LRB
18 inserts date], shall become void on the first day of the 19th month beginning after
19 the effective date of this paragraph [LRB inserts date].

20 **SECTION 8.** 349.03 (2) of the statutes is amended to read:

21 349.03 (2) No local authority may enact or enforce any traffic regulation
22 providing for suspension or revocation of motor vehicle operator's licenses or
23 requiring local registration of vehicles, ~~except as authorized by s. 341.35,~~ or in any
24 manner excluding or prohibiting any motor vehicle, mobile home, vehicle
25 transporting a manufactured home or modular home, recreational vehicle, trailer,

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1 or semitrailer whose owner has complied with chs. 341 to 348 from the free use of all
2 highways, except as authorized by sub. (3) and ss. 66.0429 (1) and (3), 349.13, 349.17,
3 349.22 and 349.23.

4 **SECTION 9. Effective dates.** This act takes effect on the day after publication,
5 except as follows:

6 (1) The treatment of sections 20.395 (5) (iv), 79.03 (3) (b) 4. a., 341.307 (4) (f),
7 and 349.03 (2) of the statutes and the repeal of section 341.35 of the statutes take
8 effect on December 31, 2011.

9 (END)