

## CHAPTER 341

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## SUBCHAPTER I

## REGISTRATION

**341.01 Words and phrases defined.** (1) Words and phrases defined in s. 340.01 are used in the same sense in this chapter unless a different definition is specifically provided.

(2) In this chapter notwithstanding s. 340.01 (24), "implementation of husbandry" means a vehicle or piece of equipment or machinery designed for agricultural purposes, used exclusively in the conduct of agricultural operations and used principally off a highway, or a trailer-mounted bulk liquid fertilizer container.

History: 1989 a. 105

**341.04 Penalty for operating unregistered or improperly registered vehicle.** Except during a state of emergency proclaimed under ch. 166:

(1) It is unlawful for any person to operate or for an owner to consent to being operated on any highway of this state any motor vehicle, mobile home, trailer or semitrailer or any other vehicle for which a registration fee is specifically prescribed unless at the time of operation the vehicle in question either is registered in this state, or, except for registration under s. 341.30 or 341.305, a complete applica-

tion for registration, including evidence of any test or inspection under s. 110.20 when required, accompanied by the required fee has been delivered to the department or deposited in the mail properly addressed with postage prepaid, or is exempt from registration.

(a) A vehicle may be operated by a private person after the date of purchase of such vehicle by such private person or after the date such person moved to this state if application for registration, except for registration under s. 341.30 or 341.305, and certificate of title has been made.

(b) All vehicles subject to renewal of registration may be operated provided that application for reregistration, except for registration under s. 341.30 or 341.305, has been made.

(2) Unless application for reregistration has been made as required by s. 341.32, it is unlawful for any person to operate or for the owner to consent to being operated on any highway of this state any registered vehicle the construction or use of which has been changed so as to make the vehicle subject to a higher fee than the fee at which it currently is registered or which is carrying a greater load than that permitted under the current registration.

(3) (a) Any person who violates sub. (1) or (2), where the vehicle used is an automobile, station wagon, or any other vehicle having a gross weight of 10,000 pounds or less, may be required to forfeit not more than \$200.

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(b) Any person who violates sub. (1) or (2), where the vehicle used is a vehicle not enumerated under par. (a), may be required to forfeit not more than \$500.

(c) In addition to imposing the penalty under par. (a) or (b), the court shall order the offender to make application for registration or reregistration and to pay the required fee. If 45 days have elapsed from the date of conviction and the department has not received an application for registration or reregistration and the required fee, the department shall order the offender to make application for registration or reregistration and to pay the required fee. Unless the department receives the application for registration or reregistration and the required fee within 20 days from the date of the department's order, the department may suspend any or all registrations of the offender. Any registration suspended under this section shall remain suspended until the offender makes application for registration or reregistration and the required fee for registration is paid. For purposes of this section, the required registration or reregistration fee for residents of this state is the required annual or biennial fee, or, if the vehicle is eligible for quarterly or consecutive monthly registration, the fee required in s. 341.30 or 341.305. For purposes of this section, the required fee for a vehicle registered on the basis of gross weight shall be the fee for the maximum weight for which the vehicle may be legally registered or the weight at which the vehicle was operating, whichever is greater.

**History:** 1973 c. 218; 1975 c. 351; 1977 c. 29 s. 1654 (7) (a); 1977 c. 56; 1979 c. 274; 1979 c. 361 s. 113; 1983 a. 469; 1989 a. 31; 1991 a. 39

**341.045 Use of registered farm trucks regulated.** A motor truck under s. 340.01 (18) (a) 1 registered as a farm truck under s. 341.26 (3) (a) may be used for personal and family purposes if the primary use of that motor truck is for purposes specified in s. 340.01 (18) (a) 1, except that a registered farm truck may not be used in furtherance of any nonfarm occupation, trade, profession or other employment, including commuting to or from the place of such nonfarm occupation, trade, profession or employment. A motor truck under s. 340.01 (18) (a) 2 may not be used for personal and family purposes. This section does not apply to dual purpose farm trucks registered under s. 341.26 (3) (am). Any violations of this section are subject to the penalty prescribed for violations of s. 341.04 (2).

**History:** 1977 c. 29, 418; 1983 a. 227, 270; 1987 a. 399.

**341.05 When vehicles exempt from registration.** A vehicle, even though operated upon a highway of this state, is exempt from registration when such vehicle:

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

(2) Is operated in accordance with the provisions exempting nonresident or foreign-registered vehicles from registration; or

(3) Is operated in accordance with s. 341.405.

(6) Is operated exclusively upon stationary rails or tracks; or

(7) Is a farm tractor 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

(9) Is a trailer or semitrailer used exclusively for the transportation of farm machinery, implements, produce or supplies on a farm or between farms; or

(11) Is a trailer or semitrailer permanently equipped with a well-drilling outfit or designed for moving pea viners and used exclusively for either of such purposes; or

(12) Is a fork-lift truck, a specially constructed road or truck tractor used for shunting trailers or semitrailers in terminal areas or a trailer which is used principally off the highway; or

(13m) Is a trailer or semitrailer or camping trailer having a gross weight of 3,000 pounds or less and not used for hire or rental; or

(14) Is a trailer or semitrailer not operated in conjunction with a motor vehicle; or

(14m) Is a new motor vehicle being operated only across a highway from point of manufacture or assembly.

(15) Is a motor vehicle being towed, except when the person operating the vehicle supplying the motive power is a transporter, that person must be registered as a transporter; or

(16) Is a piece of road machinery.

(17) Is an implement of husbandry.

(18) Is a motor truck which is operated upon a highway only when directly crossing such highway.

(19) Is a motor vehicle last previously registered in another jurisdiction or a repaired salvage vehicle operated to or from a location where it is to be inspected as required by ss. 342.06 (1) (g) and 342.07, or an unregistered vehicle operated to or from a location where it is to be tested or inspected as required by s. 110.20.

(20) Is an amphibious motor vehicle capable of carrying 10 or more passengers when used for sight-seeing purposes, registered as a boat with the department of natural resources and operated upon a highway for a distance not to exceed 2 miles.

(21) Is owned by the United States.

(22) Is registered by a federally recognized Indian band or tribe and is exempt under a reciprocal registration exemption agreement under s. 341.409.

(23) Is a motor bicycle, except as provided in s. 349.18.

(24) Is a golf cart being operated in accordance with s. 349.18 (1) (b).

**History:** 1971 c. 207; 1973 c. 90; 1977 c. 29, 43, 418; 1983 a. 50, 180, 243, 288, 538; 1985 a. 187; 1985 a. 197 s. 7; 1987 a. 349; 1991 a. 39, 316

Trucks with permanently mounted potato boxes and special low ratio gearing used solely to collect and transport potatoes in harvest and planting seasons are "implements of husbandry" under (17), not "farm trucks". *State v. Okray Produce Co., Inc.*, 132 W (2d) 145, 389 NW (2d) 825 (Ct. App. 1986)

**341.055 Snowmobiles.** Snowmobiles shall not be registered under this chapter but shall be registered under ch. 350.

**History:** 1971 c. 277

**341.057 All-terrain vehicles.** All-terrain vehicles are not required to be registered under this chapter but shall be registered under s. 23.33 (2).

**History:** 1985 a. 29

**341.06 Optional registration. (1)** The department shall register the following vehicles upon proper application therefor and payment of the required fee even though such vehicles may be exempt from registration:

(am) A trailer or semitrailer or camping trailer having a gross weight of 3,000 pounds or less and not used for hire or rental. The registration fee charged shall be the same as if the trailer or semitrailer were to be used for hire or rental.

(b) A vehicle owned by a nonresident and which would be subject to registration if owned by a resident. The registration fee charged shall be the same as if the vehicle were owned by a resident.

(2) A vehicle registered under authority of this section is not on that account exempt from any property tax which would be payable in the absence of such registration.

**History:** 1977 c. 29 ss. 1413, 1654 (7) (a); 1977 c. 418

**341.067 Registration of special vehicles.** The department shall register a specially designed vehicle which is authorized for operation by a person holding a special restricted operator's license under s. 343.135 if the special vehicle meets the equipment standards established under s. 347.02 (6).

**History:** 1979 c. 345; Stats. 1979 s. 341.065; 1979 c. 355 s. 156; Stats. 1979 s. 341.067.

**341.07 Certain vehicles to be registered by resident lessee.** (1) If a motor truck or truck tractor is to be operated in this state under authority of a common carrier certificate or contract carrier license issued by the office of the commissioner of transportation to a resident of this state, including a Wisconsin corporation, and such operation is in accordance with a lease or operating agreement with the owner of the motor truck or truck tractor or other person authorized to enter into such lease or operating agreement, the certificated or licensed carrier shall register such motor truck or truck tractor in this state unless it has been so registered by the owner. This section applies even though the motor truck or truck tractor is owned by a nonresident.

(2) If a motor truck or truck tractor is operated by or with the consent of such certificated or licensed carrier on any highway of this state when such vehicle is not registered in this state or when such vehicle is required by s. 341.04 (2) to be reregistered, such carrier is subject to the penalty provided in s. 341.04 (3). The court, in addition to imposing the penalty, shall order the carrier to make application for registration or reregistration and to pay the fee therefor.

(3) This section does not affect the interchange of trailers and semitrailers as authorized by s. 341.41 (4).

**History:** 1977 c. 29 s. 1654 (9) (f); 1981 c. 347 s. 80 (2)

**341.08 Application for registration.** (1) Application for original registration and for renewal of registration shall be made to the department upon forms prescribed by it and shall be accompanied by the required fee.

(1m) The forms for application for original registration and for renewal of registration under sub. (1) or another form provided by the department shall include a place for an applicant or registrant under this chapter who is a natural person to designate that the applicant's or registrant's name, street address, post-office box number and 9-digit extended zip code may not be disclosed as provided in s. 341.17 (9), a statement indicating the effect of making such a designation and a place for an applicant or registrant who has made a designation under this subsection to reverse the designation.

**NOTE:** Sub. (1m) is created eff. 4-1-93 by 1991 Wis. Act 269.

(2) Applications for original registration of a vehicle shall contain the following information:

(a) The name of the owner.

(b) The name of the town, city or village in which the owner resides and, if the owner resides in a city of the first or second class, the owner's true residential or business address.

(c) A description of the vehicle, including make, model, identification number and any other information which the department may reasonably require for proper identification of the vehicle.

(d) The city, village or town in which the vehicle is customarily kept.

(e) Such further information as the department may reasonably require to enable it to determine whether the vehicle is by law entitled to registration or to enable it to determine the proper registration fee for the vehicle.

(3) The department may accept an application and complete registration of a vehicle when the evidence of ownership is held by a nonresident lienholder or for other reason is not immediately available and the department is satisfied as to

ownership of the vehicle. The title fee shall be collected at the time of registration and retained even though certificate of title is not issued.

(4) Applications for renewal of registration shall contain the information required in sub. (2) for original applications or such parts thereof as the department deems necessary to assure the proper registration of the vehicle. The department may require that applications for renewal of registration be accompanied by the certificate of title issued for the vehicle only when the true ownership or proper registration of the vehicle is in doubt and cannot be resolved from records maintained by the department.

(4m) At least 30 days prior to the expiration of a vehicle's registration, the department shall mail to the last-known address of the registrant a notice of the date upon which the registration must be renewed and an application form for renewal of registration. The application form or an accompanying document shall include a list of any unpaid citations for nonmoving traffic violations or any judgments for violation of ch. 110, 194 or 341 to 350, an administrative rule of the department, or an ordinance enacted in accordance with s. 349.06, including parking violations, entered against the registrant which remain unpaid. The list of unpaid citations for nonmoving traffic violations shall be based on information obtained under s. 345.28 (4). The list of unpaid judgments shall be based on information obtained under s. 345.47 (1) (d). If there is a citation for any nonmoving traffic violation entered against the registrant which is unpaid, he or she shall be notified that the vehicle may not be registered until the citation is paid or the registrant appears in court to respond to the citation. If there is a judgment entered against the registrant which is unpaid, he or she shall be notified that the vehicle may not be registered until the judgment is paid.

(5) The department shall supply the several county clerks with blank application forms for original registration of vehicles.

(6) If the applicant for a certificate of registration is under 18 years of age, the application shall be accompanied by a statement made and signed by either of the applicant's parents, if such parent has custody of the minor; or if neither parent has custody, then by the person having custody, stating that the applicant has the signer's consent to register the vehicle in the applicant's name. The signature on the statement shall not impute any liability for the negligence or misconduct of the applicant while operating such motor vehicle on the highways. Any person who violates this section may be required to forfeit not more than \$200.

(7) A vehicle's registration does not expire on the date of expiration of registration under ss. 341.25 to 341.36 if, on that date of expiration, the registrant is serving in the U.S. armed forces in the Middle East or in the territorial or international waters adjacent to the Middle East as a participant in or in support of Operation Desert Shield or Desert Storm. Any registration extended under this subsection expires 30 days after the registrant completes his or her military service in that geographic area as a participant in or in support of those operations. If a registration is renewed after an extension under this subsection, the renewal period shall begin on the day after the date of expiration of registration.

**History:** 1971 c. 164; 1973 c. 218; 1975 c. 94; 1977 c. 29 ss. 1414, 1654 (7) (a); 1979 c. 34; 1981 c. 165; 1983 a. 180; 1987 a. 349; 1991 a. 13, 269, 316.

**341.085 Registration of ambulances.** (1) The department shall inspect all ambulances prior to issuing an original or renewal registration to determine that the vehicles meet requirements specified by law or administrative rule as to specifications, medical equipment, supplies and sanitation.

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(2) The department may adopt rules necessary for administration of this section and prescribe ambulance service equipment and standards therefor, except that any ambulance which does not conform to rules adopted by the department may be used until December 30, 1979.

History: 1977 c. 29

**341.09 Temporary operation permits and plates.** (1) The department may issue a temporary operation permit or plate for an unregistered vehicle under any of the circumstances set forth in subs. (2) to (6). Such permits or plates shall contain the date of expiration and sufficient information to identify the vehicle for which and the person to whom it is issued. The department may place the information identifying the vehicle and the person to whom the permit or plate is issued on a separate form.

(1m) The department may issue a temporary operation plate for a motorcycle under sub. (8). The plate shall contain the date of expiration and sufficient information to identify the motorcycle for which and the person to whom it is issued.

(2) (a) Upon request therefor by a person who has made a verifiable application for registration and paid the registration fee, the department shall issue a temporary operation permit or plate if it appears that the person would otherwise be unable to lawfully operate the vehicle pending receipt of the registration plates.

(b) If the department is not able to verify that an application has been submitted, the department may issue a temporary operation permit or plate if it is satisfied as to the ownership of the vehicle and the applicant submits another application with all fees normally required to title and register the vehicle. The fee paid under this paragraph shall be refunded upon completion of processing of the original application.

(c) The department may issue a temporary operation permit or plate which is valid for a period of 60 days or until the applicant receives the regular registration plates, whichever occurs first.

(d) The department may issue temporary operation plates for use on any vehicle except buses, for-hire vehicles and vehicles which are subject to registration under the international registration plan if the state is a party to such plan or vehicles which are subject to registration under s. 341.41 (9). The department shall determine the size, color, design, form and specifications of the plate. The department shall charge a fee of \$3 for each temporary operation plate issued under this subsection.

(e) Sections 341.13 and 341.14 do not apply to plates issued under this subsection.

(f) Nothing in this subsection requires a person who has complied with s. 341.04 (1) to obtain a temporary operation plate under this subsection.

(2m) (a) Upon request by a dealer licensed in this state, the department may issue any number of temporary operation plates to a dealer under sub. (2) at a fee of \$3 per plate. The dealer may issue the temporary operation plate at a fee of \$3 to any state resident who purchases from the dealer any type of vehicle except buses, for-hire vehicles and vehicles which are subject to registration under the international registration plan if the state is a party to such plan or vehicles which are subject to registration under s. 341.41 (9). The department shall prescribe the manner in which a dealer shall keep records of temporary operation plates issued by the dealer.

(b) A plate issued under this subsection is valid for a period of 60 days from its issuance to the person or until the person receives the regular registration plates, whichever occurs first.

(c) Nothing in this subsection requires a person who has received a receipt under s. 342.16 (1) (a) to obtain a temporary operation plate.

(d) If the department determines that a dealer has misused plates issued under this subsection or sub. (4) or has failed to comply with the requirements of this section or rules issued under this section, the department may order the dealer to return all temporary operation plates in the dealer's possession. Within 30 days after the issuance of the order, the dealer may request a hearing before the office of the commissioner of transportation. The office shall schedule a hearing with reasonable promptness. The dealer may not issue any temporary operation plates until after the office of the commissioner of transportation holds its scheduled hearing and issues its findings.

(3) Upon application therefor to the department by a person engaged in the active military service of the United States or its allies and upon satisfactory proof of the active military status of the applicant and of being granted a furlough the department shall issue to the applicant without charge a temporary operation plate which authorizes the applicant to operate any vehicle owned or designated by the applicant without registration of the vehicle. The plate is valid only while the applicant is on furlough and for a period not to exceed 30 days. The department shall determine the size, color, design, form and specifications of a plate issued under this subsection. The plate may be similar or identical to a plate issued under sub. (2).

(4) Upon receipt of an application and a fee of \$3, the department shall register a vehicle purchased in this state by a nonresident for a period not to exceed 30 days. The department shall determine the size, color, design, form and specifications of a plate issued under this subsection. The plate may be similar or identical to a plate issued under sub. (2). The department may issue the plates to dealers at a fee of \$3 per plate in the manner and for the purpose provided in sub. (2m).

(5) The department may issue a temporary operation permit or plate which is valid for a period of 30 days upon request of the owner of a vehicle which is subject to the test or inspection required by s. 110.20 (6). The department shall charge a fee of \$3 for each temporary operation permit or plate issued under this subsection. The department shall determine the size, color, design, form and specification of the plate.

(6) The department may, in instances of special transportation need as determined by the department, issue a trip permit which is valid for a 72-hour period to the owner or operator of a vehicle which is eligible for quarterly registration under s. 341.30 or consecutive monthly registration under s. 341.305. The fee for the trip permit shall be not less than \$15. The secretary may waive the fee for the trip permit if the secretary determines that waiver is appropriate under the circumstances.

(7) The owner of a special interest vehicle registered under s. 341.266 (2) (a) may, upon payment of a fee of \$5 and application to the department, be issued a permit for operation of the vehicle for a period not to exceed 5 successive days during the month of January. The permit shall be valid only in the calendar year for which the permit is issued. The department shall prescribe the form of the application and permit and the manner in which the permit shall be displayed. The owner may be issued additional permits in subsequent years upon application and payment of the required fee.

(8) The department may issue a temporary operation plate to a person who is eligible for the issuance of a special plate for a motorcycle under s. 341.14 (1e) if the department

determines that the person's disability is temporary. The plate shall contain the information specified in sub. (1m) and otherwise be similar to or identical to plates issued under s. 341.14 (1e). No charge in addition to the registration fee may be made for the issuance of a plate under this subsection.

**History:** 1975 c. 32, 351; 1977 c. 29 s. 1654 (7) (a), (e); 1977 c. 273; 1981 c. 150, 391; 1983 a. 27, 180; 1987 a. 100 s. 3; 1987 a. 369; 1989 a. 137, 304, 359; 1991 a. 39, 81, 189.

**341.10 Grounds for refusing registration.** The department shall refuse registration of a vehicle under the following circumstances:

(1) The required state fee and any municipal vehicle registration fee imposed by the town, village or city in which the vehicle is customarily kept has not been paid for the specific vehicle, and the department may refuse registration of a vehicle if such fees for the current period or for any previous period for which payment of a registration fee is required by law have not been paid on any other vehicles owned or leased by the applicant for registration; or

(2) The applicant has failed to furnish the information or documents required by law or by the department pursuant to authority of law; or

(3) A certificate of title is a prerequisite to registration of the vehicle and the applicant does not hold a valid certificate of title and is not entitled to the issuance of a certificate of title; or

(4) The applicant's registration has been suspended or revoked and such suspension or revocation still is in effect; or

(5) The vehicle is exempt from registration under this chapter and voluntary registration of the vehicle is not expressly authorized.

(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.

(7) A court has notified the department under s. 345.47 (1) (d) that a judgment has been entered against the applicant and the judgment remains unpaid.

(7m) An authority has notified the department under s. 345.28 (4) that a citation for a nonmoving traffic violation has been issued against the applicant and the applicant has not paid the citation or appeared in court to respond to the citation.

(8) The vehicle is not eligible for registration under s. 144.42 (6).

(10) The vehicle is required to be tested or inspected under s. 110.20 (6) and:

(a) The vehicle has not been tested or inspected; or

(b) The most recent test or inspection of the vehicle under s. 110.20 (6) indicates noncompliance unless the department has issued a temporary waiver certificate under s. 110.20 (10) (b) or a waiver of compliance under s. 110.20 (13).

(11) The applicant has failed to furnish proof of payment, in the form prescribed by the U.S. secretary of the treasury, that the federal heavy vehicle use tax imposed by section 4481 of the internal revenue code has been paid.

(12) The vehicle is required to be inspected under s. 110.063 (2) and any of the following applies:

(a) The vehicle has not been inspected.

(b) The most recent inspection of the vehicle indicates noncompliance with ss. 110.063 and 110.075, ch. 347 or rules promulgated under those sections or ch. 347.

(14) After December 31, 1993, the vehicle has a mobile air conditioner, as defined in s. 100.45 (1) (b), the distribution of which in this state would be prohibited under s. 100.45 (2).

**History:** 1973 c. 131; 1975 c. 32; 1977 c. 29 s. 1654 (7) (a); 1979 c. 34; 1979 c. 274; 1981 c. 165; 1983 a. 27, 78, 103, 169, 330; 1987 a. 235; 1989 a. 56, 284; 1991 a. 39, 316.

**341.11 Contents, issuance and display of certificate of registration; issuance of duplicate certificate.** (1) Except as provided in sub. (2) the department upon registering a vehicle shall issue and deliver to the owner a certificate of registration. The certificate shall contain the name, residence and address of the owner, a brief description of the vehicle, the registration number assigned and the date of expiration of registration. The certificate shall be in such form and may contain such additional information as the department deems advisable.

(2) Whenever a certificate of registration is issued upon registration of a motor truck or truck tractor by a certificated or licensed carrier in accordance with s. 341.07, the certificate shall show that the vehicle is registered in the name of owner, lessee, and shall be delivered to the applicant.

(3) The department shall issue a duplicate certificate of registration upon application therefor by any person in whose name the vehicle is registered and upon payment of a fee of \$2.

(4) In the case of a vehicle registered on the basis of gross weight for which special registration plates have been issued under s. 341.14 (2), (6), (6m) or (6r) or for which personalized registration plates have been issued under s. 341.145, or any motor bus, motor home, dual purpose motor home, motor truck, truck tractor or road tractor, the certificate of registration shall be displayed in a prominent place in the driver's compartment of the vehicle to which the certificate refers. Any person who operates and any person in whose name the vehicle is registered who consents to the operation of any such vehicle without the certificate of registration being so displayed may be required to forfeit not more than \$200.

**History:** 1971 c. 164 s. 83; 1971 c. 278; 1975 c. 39, 136; 1977 c. 29 s. 1654 (7) (a); 1983 a. 270; 1985 a. 120 s. 3200; 1985 a. 202; 1985 a. 210 s. 2; 1987 a. 64, 112, 403; 1989 a. 54; 1991 a. 239.

**341.12 Design, procurement and issuance of registration plates.** (1) The department upon registering a vehicle pursuant to s. 341.25 or 341.30 shall issue and deliver prepaid to the applicant 2 registration plates for an automobile, motor truck, motor bus, school bus, self-propelled mobile home or dual purpose motor home and one plate for other vehicles. The department upon registering a vehicle pursuant to any other section shall issue one plate unless the department determines that 2 plates will better serve the interests of law enforcement.

(2) The department shall purchase plates from the Waupun correctional institution unless otherwise approved by the governor. Subject to any specific requirements which may be imposed by statute, the department shall determine the size, color and design of registration plates with a view toward making them visible evidence of the period for which the vehicle is registered and the fee class into which the vehicle falls as well as making them a ready means of identifying the specific vehicle or owner for which the plates were issued.

(3) All registration plates shall have displayed upon them the following:

(a) The registration number or letters assigned to the vehicle or owner.

(b) The name "Wisconsin" or abbreviation "Wis".

(c) An indication of the period for which the specific plate is issued or the date of expiration of registration.

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(4) (a) All registration plates issued under s. 341.25 (1) (a) and for motor trucks having a gross weight of not more than 8,000 pounds shall be treated with a reflectorized material or substance. The department shall prescribe the term for the use of reflectorized plates.

(b) The department, in conjunction with the department of corrections and the department of administration, shall establish the specifications for the reflectorized material and invite bids for supplying reflectorized material. The department of administration shall establish a date for the opening of such bids and shall award the contract for supplying reflectorized material to the lowest responsible bidder. The specifications shall be drawn up for each base plate year.

**History:** 1971 c. 164 ss. 71, 83; 1975 c. 136; 1977 c. 29 ss. 1415, 1654 (7) (a); 1977 c. 418 s. 924 (18) (a); 1979 c. 34; 1989 a. 31.

**341.13 Additional specifications for design of certain plates.** (1) In addition to the matter specified in s. 341.12 (3), registration plates for automobiles registered pursuant to the monthly series system, except automobiles registered under s. 341.14 (6r) or 341.145 (1) (c), shall comply with the following specifications:

(a) The words "America's Dairyland" shall be displayed across either the lower or upper portion of the plate at the discretion of the secretary.

(b) A 3-letter abbreviation for the month of registration and the year of registration shall be displayed in symbols not less than three-fourths inch high.

(c) The registration number, including the prefix which may consist of one or more letters, shall be located prominently in the center of the plate and shall be at least 3 inches high and of a clearly distinguishable design.

(2) In addition to the matter specified in s. 341.12 (3), the registration plates for a vehicle registered on the basis of gross weight except a motor truck registered under s. 341.14 (6m) or 341.145 (1) (b), a dual purpose motor home, or a motor home, motor truck, farm truck or dual purpose farm truck registered under s. 341.14 (1), (1a), (1m), (1q), (1r) (a), (2) or (6r) or 341.145 (1) (a) or (c) or a motor truck or dual purpose farm truck registered under s. 341.14 (6) shall indicate the weight class into which the vehicle falls in a manner prescribed by the department. The gross weight which determines the registration fee for a motor truck registered under s. 341.14 (6m) or 341.145 (1) (b), a dual purpose motor home, or a motor home, motor truck, farm truck or dual purpose farm truck registered under s. 341.14 (1), (1a), (1m), (1q), (1r) (a), (2) or (6r) or 341.145 (1) (a) or (c) or a motor truck or dual purpose farm truck registered under s. 341.14 (6) shall be shown on its certificate of registration.

(3) In lieu of issuing a new plate upon each renewal of registration of a vehicle, the department may issue one insert tag, decal or other identification per vehicle to indicate the period of registration. The tag, decal or other identification shall be provided by the department and used only if the outstanding plate is in suitable condition for further usage. A decal shall be displayed as provided in s. 341.15 (1m).

(3m) In lieu of issuing new plates upon the renewal of a calendar year registration under s. 341.51 or 341.57, the department may issue insert tags, decals or other identification for use as provided in sub. (3).

(4) A specially designed vehicle which is authorized for operation under s. 343.135 (2) (a) 2 shall bear a tag, decal or other identification issued by the department to indicate that the vehicle may be subject to special equipment standards

under s. 347.02 (6) and that the vehicle may be operated only by a person authorized to do so under s. 343.135 (2) (b).

**History:** 1975 c. 136, 200; 1977 c. 29 ss. 1416, 1654 (7); 1977 c. 418; 1979 c. 345; 1983 a. 227, 270, 538; 1985 a. 29; 1985 a. 87 s. 5; 1985 a. 202, 332; 1987 a. 64, 112, 403; 1989 a. 54.

**341.14 Application for and issuance of special plates.** The department shall issue special plates as specified in this section under the following circumstances:

(1) Whenever any resident of this state who is registering or has registered an automobile or station wagon, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000 pounds or a motor home submits a statement from the U.S. department of veterans affairs certifying to the department that the resident is, by reason of injuries sustained while in the active U.S. military service, disabled so as not to be able to get about without great difficulty or disabled so as not to be able to carry property without great difficulty because of a permanent substantial loss of function in one or both arms, the department shall procure, issue and deliver to the veteran, plates of a special design in lieu of the plates which ordinarily would be issued for the vehicle. The plates shall have a light blue background except for a white border not to exceed one inch at top and bottom, and blue lettering, except that the word "VET" and the identifying number shown on the plates shall be colored red. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is owned by a disabled veteran and is entitled to the parking privileges specified in s. 346.50 (2). No charge in addition to the registration fee shall be made for the issuance of such plates.

(1a) Whenever any resident of this state, who is registering or has registered an automobile or station wagon, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000 pounds or a motor home, submits a statement from a physician licensed to practice medicine in any state, from a chiropractor licensed to practice chiropractic in any state or from a Christian Science practitioner residing in this state and listed in the Christian Science journal certifying to the department that the resident is disabled so as not to be able to get about without great difficulty or disabled so as not to be able to carry property without great difficulty because of a permanent substantial loss of function in one or both arms, the department shall procure, issue and deliver to the disabled person plates of a special design in lieu of plates which ordinarily would be issued for the vehicle. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is owned by a nonveteran disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee shall be made for the issuance of such plates.

(1e) (a) Whenever any resident of this state, who is registering or has registered a motorcycle, submits a statement from a physician licensed to practice medicine in any state, from a chiropractor licensed to practice chiropractic in any state, from a Christian Science practitioner residing in this state and listed in the Christian Science journal or from the U.S. department of veterans affairs certifying to the department that the resident is disabled so as not to be able to get about without great difficulty, disabled so as not to be able to carry property without great difficulty because of a permanent substantial loss of function in one or both arms, temporarily physically disabled by any physical condition that renders the person unable to walk or unable to walk

without great difficulty or temporarily physically disabled by a permanent substantial loss of function in one or both arms that renders the person unable to carry property or unable to carry property without great difficulty, the department shall procure, issue and deliver to the disabled person a plate of a special design in lieu of the plate which ordinarily would be issued for the motorcycle. The statement shall state whether the disability is permanent or temporary and, if temporary, the opinion of the physician, chiropractor, practitioner or U.S. department of veterans affairs as to the duration of the disability. The plate shall be so designed as to readily apprise law enforcement officers of the fact that the motorcycle is owned by a disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance of the plate.

(b) If the department determines that the disability of a person submitting a statement under par. (a) is temporary, a temporary operation plate may be issued to the person under s. 341.09 (8). A plate issued under s. 341.09 (8) shall be considered a special registration plate issued under this subsection for purposes of s. 346.50 (2a) and (3), 346.503 (1), 346.505 (2), 349.13 (1m) or 349.145.

(1m) If any licensed driver submits to the department a statement from a physician licensed to practice medicine in any state, from a chiropractor licensed to practice chiropractic in any state or from a Christian Science practitioner residing in this state and listed in the Christian Science journal certifying that another person who is regularly dependent on the licensed driver for transportation is disabled so as not to be able to get about without great difficulty or disabled so as not to be able to carry property without great difficulty because of a permanent substantial loss of function in one or both arms, the department shall issue and deliver to the licensed driver plates of a special design in lieu of the plates which ordinarily would be issued for the automobile or station wagon, or motor truck, dual purpose motor home or dual purpose farm truck having a gross weight of not more than 8,000 pounds, farm truck having a gross weight of not more than 12,000 pounds or motor home. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is operated by a licensed driver on whom a disabled person is regularly dependent and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance of the plates. The plates shall conform to the plates required in sub. (1a).

(1q) If any employer who provides an automobile or station wagon, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000 pounds or a motor home, whether owned or leased by the employer, for an employee's use submits to the department a statement from a physician licensed to practice medicine in any state, from a chiropractor licensed to practice chiropractic in any state or from a Christian Science practitioner residing in this state and listed in the Christian Science journal certifying that the employee is disabled so as not to be able to get about without great difficulty or disabled so as not to be able to carry property without great difficulty because of a permanent substantial loss of function in one or both arms, the department shall issue and deliver to such employer plates of a special design in lieu of the plates which ordinarily would be issued for the vehicle. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is operated by a disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to

the registration fee may be made for the issuance of the plates. The plates shall conform to the plates required in sub. (1a).

(1r) (a) Whenever any resident of this state who is registering or has registered an automobile or station wagon, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000 pounds or a motor home submits a statement certifying to the department that the vehicle is leased to a person who qualifies for special plates under sub. (1) or (1a) together with the information required under sub. (1) or (1a), the department shall issue and deliver to the resident, plates of the appropriate special design under sub. (1) or (1a) in lieu of the plates which ordinarily would be issued for the vehicle. No charge in addition to the registration fee shall be made for the issuance of the plates.

(b) If the lessor of a vehicle under par. (a) does not continue to lease the vehicle to the disabled person as certified to the department, the lessor shall dispose of the special plates in a manner prescribed by the department and shall obtain replacement plates for the vehicle. No charge in addition to the registration fee for the vehicle, if due, may be made for the issuance of replacement plates under this paragraph.

(2) Upon compliance with the laws relating to registration of automobiles, station wagons and motor homes; motor trucks, dual purpose motor homes and dual purpose farm trucks which have a gross weight of not more than 8,000 pounds; and farm trucks which have a gross weight of not more than 12,000 pounds, including payment of the prescribed registration fees therefor plus an additional fee of \$10 when registration plates are issued accompanied by an application showing satisfactory proof that the applicant is the holder of an unexpired amateur radio station license issued by the federal communications commission, the department shall issue registration plates on which, in lieu of the usual registration number, shall be inscribed in large legible form the call letters of such applicant as assigned by the federal communications commission. The fee for reissuance of a plate under this subsection shall be \$10.

(2m) Upon compliance with laws relating to registration of motor vehicles, including payment of the prescribed fee, and an additional fee of \$5 when the original or new registration plates are issued and accompanied by an application showing satisfactory proof that the applicant has a collector's identification number as provided in s. 341.266 (2) (d), the department shall issue registration plates on which, in lieu of the usual registration number, shall be inscribed the collector's identification number issued under s. 341.266 (2) (d). The word "COLLECTOR" shall be inscribed across the lower or upper portion of the plate at the discretion of the department. Additional registrations under this subsection by the same collector shall bear the same collector's identification number followed by a suffix letter for vehicle identification. Registration plates issued under this subsection shall expire annually on May 31.

(3) Upon request therefor by the state or a county or municipality or federally recognized Indian tribe or band which is registering a vehicle owned by it and to be used in law enforcement work, to be used by investigators for the office of the state public defender or to be used for operation under s. 20.916 (7), the department shall issue the same type of registration plate as it would issue for a privately owned vehicle of the same type in lieu of the type of plate it ordinarily would issue for a vehicle owned by the state or by a county or municipality or Indian tribe or band. This subsection does not affect the registration fee to be charged.

(4) For antique motor vehicles as specified in s. 341.265.

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91-92 Wis. Stats. 3564

**(4m)** For special interest vehicles as specified in s. 341.266.

**(4r)** For reconstructed and homemade vehicles as specified in s. 341.268.

**(5)** Upon application by any person awarded the congressional medal of honor and submission of proper proof thereof, the department shall issue special plates so designed as to indicate such award. No charge whatever shall be made for the issuance of such plates.

**(6) (a)** Upon application to register an automobile or station wagon or a motor truck or dual purpose farm truck which has a gross weight of not more than 8,000 pounds by any person who was a member of any of the U.S. armed services and who was held as a prisoner of war during any of the conflicts described in s. 45.35 (5) (b) to (g) or in Grenada, Lebanon, Panama or a Middle East crisis under s. 45.34, and upon submission of a statement from the U.S. department of veterans affairs certifying that the person was a prisoner of war during one of the conflicts described in s. 45.35 (5) (b) to (g) or in Grenada, Lebanon, Panama or a Middle East crisis under s. 45.34, the department shall issue to the person a special plate which is colored red, white and blue and which has the words "ex-prisoner of war" placed on the plate in the manner designated by the department.

**(b)** If a registration plate has been issued to a person under par. (a), upon application by the surviving spouse of the person, the department may permit the surviving spouse to retain the plate. If the plate has been returned to the department or surrendered to another state, the department may reissue the plate to the surviving spouse. The department shall charge an additional fee of \$10 to reissue the plate.

**(c)** A person who maintains no more than one registration under this subsection at one time shall not be charged a fee for registration of the vehicle or issuance of the plates.

**(d)** For each additional vehicle, a person who maintains more than one registration under this subsection at one time shall be charged a fee of \$10 for issuance of the plates in addition to the annual registration fee for the vehicle. Except as provided in par. (c), a motor truck or dual purpose farm truck registered under this subsection shall be registered under this paragraph.

**(e)** The department shall charge a fee of \$10 for reissuance of any plate under par. (d).

**(6m) (a)** Upon application to register an automobile, station wagon or motor truck which has a gross weight of not more than 8,000 pounds by any person who is a resident of this state and a member or retired member of the national guard, the department shall issue to the person special plates whose colors and design shall be determined by the department, after consultation with the adjutant general, and which have the words "Wisconsin guard member" placed on the plates in the manner designated by the department. An additional fee of \$10 shall be charged for the issuance of the plates. Registration plates issued under this subsection shall expire annually on August 31.

**(b)** Except as provided in par. (c), if an individual in possession of special plates under this subsection or of personalized plates under s. 341.145 (1) (b) does not maintain membership in the national guard during a year which is not a plate issuance year, the individual shall:

1. Dispose of the special plates in a manner prescribed by the department;

2. In addition to the regular application fee, pay a \$4 fee for the issuance of replacement plates; and

3. Return the certificate of title to the department for correction.

**(c)** Paragraph (b) does not apply to an individual who is a retired member of the national guard.

**(6r) (a)** In this subsection and s. 341.145 (1) (c), "authorized special group" means a special group enumerated in par. (f).

**(b) 1.** Upon application to register an automobile, station wagon or motor home, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight of not more than 12,000 pounds, by any person who is a resident of this state and a member of an authorized special group, the department shall issue to the person special plates whose colors and design shall indicate that the vehicle is owned by a person who is a member of the applicable special group.

2. An additional fee of \$10 shall be charged for the issuance or reissuance of the plates for special groups specified under par. (f) 1 to 34, 48 and 51.

3. An additional fee of \$15 shall be charged for the issuance or reissuance of a plate issued on an annual basis for a special group specified under par. (f) 35 to 47. An additional fee of \$15 shall be charged for the issuance or reissuance of a plate issued on a biennial basis for a special group specified under par. (f) 35 to 47 if the plate is issued during the first year of the biennial registration period or \$15 for the issuance or reissuance if the plate is issued during the 2nd year of the biennial registration period.

4. An additional fee of \$20 that is in addition to the fee under subd. 2 or 3 shall be charged for the issuance or renewal of a plate issued on an annual basis for a special group specified under par. (f) 35 to 47. An additional fee of \$40 that is in addition to the fee under subd. 2 or 3 shall be charged for the issuance or renewal of a plate issued on a biennial basis for a special group specified under par. (f) 35 to 47 if the plate is issued or renewed during the first year of the biennial registration period or \$20 for the issuance or renewal if the plate is issued or renewed during the 2nd year of the biennial registration period. The fee under this subdivision is deductible as a charitable contribution for purposes of the taxes under ch. 71.

**(bm) 1.** Upon application to register a vehicle specified in par. (b) by a resident of this state who is the owner of the vehicle, upon payment of the additional fees under par. (b) and submission of a statement by the applicant certifying to the department that the vehicle is leased to a person who qualifies for special plates under par. (b) together with information required of an applicant under par. (b), the department shall issue to the owner special plates of the appropriate colors and design under par. (d) or (e) in lieu of the plates which ordinarily would be issued for the vehicle. The department may not accept an application for a special group plate under par. (f) 35 to 47 before January 1, 1990.

2. If the lessor of a vehicle under subd. 1 does not continue to lease the vehicle to the person who qualifies for special plates as certified to the department, the lessor shall dispose of the special plates in a manner prescribed by the department and shall obtain replacement plates for the vehicle. There is no charge in addition to the registration fee for the vehicle, if due, for the issuance of replacement plates under this subdivision.

**(c)** Special group plates shall display the word "Wisconsin", the name of the applicable authorized special group, a symbol representing the special group, not exceeding one position, and identifying letters or numbers or both, not exceeding 5 positions. The department shall specify the design for special group plates, but the department shall consult the president of the university of Wisconsin system before specifying the design for the special group plates under par. (f) 35 to 47.



(d) The department shall specify the word or words comprising the special group name and the symbol to be displayed upon special group plates for a group associated with a branch of the armed services or a related organization after consultation with the appropriate state or federal representative of that service or organization. Special group plates for a group associated with a branch of the armed services or a related organization shall be colored red, white and blue.

(e) The department shall specify one combination of colors for special group plates for groups or organizations which are not military in nature and not special group plates under par. (f) 35 to 47. The department, after consulting the president of the university of Wisconsin system, shall specify one combination of colors for special group plates under par. (f) 35 to 47. The department shall specify the word or words comprising the special group name and the symbol to be displayed upon special group plates for a group or organization which is not military in nature after consultation with the chief executive officer in this state of the group or organization, except that the department may not specify the word or words or the symbol for special group plates under par. (f) 35 to 47 unless the word or words or symbol is approved in writing by the president of the university of Wisconsin system. The president may not approve the word or words or symbol for a university specified under par. (f) 35 to 47 unless the chancellor of the university approves in writing the word or words or symbol. The department shall require that the word or words and symbol for a university specified under par. (f) 35 to 47 be a registration decal or tag and affixed to the special group plate and be of the colors for a university specified under par. (f) 35 to 47 that the president of the university of Wisconsin system specifies.

(f) The department shall issue special group plates under this subsection only for the following authorized special groups:

1. U.S. army
- 1m. U.S. Army retired.
2. U.S. army reserve.
3. U.S. army veterans.
4. U.S. navy
- 4m. U.S. navy retired.
5. U.S. navy reserve.
6. U.S. navy veterans.
7. U.S. air force
- 7m. U.S. air force retired.
8. U.S. air force reserve.
9. U.S. air force veterans.
10. U.S. coast guard.
- 10m. U.S. coast guard retired.
11. U.S. coast guard reserve.
12. U.S. coast guard veterans.
13. U.S. marine corps.
- 13m. U.S. marine corps retired.
14. U.S. marine corps reserve.
15. U.S. marine corps veterans.
16. World War I veterans.
17. World War II veterans.
18. Korean War veterans.
19. Vietnam War veterans.
20. Persons awarded the distinguished service cross medal.
21. Persons awarded the air force cross medal.
22. Persons awarded the navy cross medal.
23. Persons awarded the distinguished service medal from any branch of the U.S. armed forces.
24. Persons awarded the silver star medal.
25. Persons awarded the legion of merit medal.
26. Persons awarded the distinguished flying cross medal.

27. Persons awarded the soldier's medal.
28. Persons awarded the navy and marine corps medal.
29. Persons awarded the airman's medal.
30. Persons awarded the coast guard medal.
31. Persons awarded the bronze star medal.
32. Persons awarded the purple heart medal.
33. Fire fighters.
34. Rescue squad members.
35. Persons interested in obtaining a plate with university of Wisconsin-Eau Claire on it.
36. Persons interested in obtaining a plate with university of Wisconsin-Green Bay on it.
37. Persons interested in obtaining a plate with university of Wisconsin-LaCrosse on it.
38. Persons interested in obtaining a plate with university of Wisconsin-Madison on it.
39. Persons interested in obtaining a plate with university of Wisconsin-Milwaukee on it.
40. Persons interested in obtaining a plate with university of Wisconsin-Oshkosh on it.
41. Persons interested in obtaining a plate with university of Wisconsin-Parkside on it.
42. Persons interested in obtaining a plate with university of Wisconsin-Platteville on it.
43. Persons interested in obtaining a plate with university of Wisconsin-River Falls on it.
44. Persons interested in obtaining a plate with university of Wisconsin-Stevens Point on it.
45. Persons interested in obtaining a plate with university of Wisconsin-Stout on it.
46. Persons interested in obtaining a plate with university of Wisconsin-Superior on it.
47. Persons interested in obtaining a plate with university of Wisconsin-Whitewater on it.
48. Emergency medical technicians.
51. Veterans of the attack on Pearl Harbor who were stationed in Hawaii on December 7, 1941.

(g) Except as provided in par. (bm) 1, if an individual in possession of special plates under par. (f) 33, 34 or 48 or of personalized plates under s. 341.145 (1) (c) of the same color and design as special plates under par. (f) 33, 34 or 48 does not maintain membership in the applicable authorized special group during a year which is not a plate issuance year, the individual shall:

1. Dispose of the special plates in a manner prescribed by the department;
2. In addition to the regular application fee, pay a \$4 fee for the issuance of replacement plates; and
3. Return the certificate of title to the department for correction.

(7) The department shall disseminate information to all applicants for registration plates under sub. (1), (1a), (1e), (1m), (1q) or (1r) (a) relating to the parking privileges granted under s. 346.50 (2), (2a) or (3) and their right to request enforcement of s. 346.505.

**History:** 1971 c. 164 s. 83; 1971 c. 299; 1975 c. 384, 417; 1977 c. 16; 1977 c. 29 ss. 1417, 1418, 1654 (7) (a), (e); 1977 c. 43, 183, 292, 418, 447; 1979 c. 236; 1981 c. 255; 1983 a. 227, 430, 511; 1985 a. 29, 55; 1985 a. 87 ss. 1, 5; 1985 a. 124, 202; 1985 a. 332 ss. 191, 251 (4); 1987 a. 19, 64, 112, 145, 315, 399, 403; 1989 a. 31, 54, 56, 137, 302, 304, 312, 359; 1991 a. 2, 39, 100, 240.

**Legislative Council Note, 1977:** Sub. (3) is amended to enable a federally recognized Indian tribe or band to obtain registration plates for vehicles used by the tribe or band in law enforcement work. These plates are to be of the same type as would normally be issued for use on a privately owned vehicle but the registration fees charged would be the same as provided for plates issued under section 341.26 (2m), relating to special registration fees for vehicles owned by the state or by a county or municipality. [Bill 850-A]

**341.145 Personalized registration plates. (1)** In this section, "personalized registration plate" means any of the following:

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(a) A registration plate for an owned automobile or station wagon or a motor home registered for an annual registration period under s. 341.29 or 341.295 or a motorcycle or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight of not more than 12,000 pounds, which displays a registration number composed of letters or numbers, or both, requested by the applicant. Personalized registration plates under this paragraph shall be of the same color and design as regular registration plates and shall consist of numbers or letters, or both, not exceeding 5 positions and not less than one position for a plate issued for a motorcycle or not exceeding 6 positions and not less than 2 positions for all other plates.

(b) A registration plate of the same color and design as provided in s. 341.14 (6m) for an owned automobile, station wagon or motor truck having a gross weight of not more than 8,000 pounds, which displays a registration number composed of letters or numbers, or both, not exceeding 6 positions and not less than 2 positions, requested by the applicant.

(c) A registration plate of the same color and design as provided in s. 341.14 (6r) for a vehicle specified under s. 341.14 (6r), which displays the applicable symbol of the authorized special group to which the person belongs and a registration number composed of letters or numbers, or both, not exceeding 5 positions, requested by the applicant.

(1g) (a) The department may issue personalized registration plates under sub. (1) (b) to a person who qualifies for special plates under s. 341.14 (6m).

(b) The department may issue personalized registration plates under sub. (1) (c) to a person who qualifies for special plates under s. 341.14 (6r).

(1r) In lieu of the procedure under s. 341.13 (2), the department may issue distinguishing tags or decals for personalized registration plates for a vehicle registered on the basis of gross weight.

(2) The department shall issue personalized registration plates only upon request and if:

(a) The request and alternative thereto is received by the department in writing by mail by the 15th day of the month in which the vehicle is to be registered;

(b) The request is accompanied by the proper fee, an application for original or renewal vehicle registration and the proper registration fee;

(c) The requested combination of numbers or letters has not already been issued.

(3) In addition to the regular application fee provided under s. 341.25 (1) (a), (c) or (j) or (2) or 341.26 (3) (a) 2 or (am), the applicant for a personalized registration plate issued on an annual basis shall pay a fee of \$15 for the issuance of the plate and \$15 in each succeeding year to maintain the plate. In addition to the regular application fee provided under s. 341.25 (1) (b) or 341.26 (3) (a) 1, the applicant for a personalized registration plate issued on a biennial basis shall pay a fee of \$30 for issuance of the plate if the plate is issued during the first year of the biennial registration period or \$15 for issuance of the plate if the plate is issued during the 2nd year of the biennial registration period. The fee to maintain a personalized plate issued on a biennial basis is \$30. The fee for reissuance of a personalized plate shall be \$15 for an annual registration and \$30 for a biennial registration. An applicant for personalized plates issued under sub. (1) (b) or (c) shall not be required to pay the fee for initial issuance of the plates.

(4) Each personalized registration plate issued shall be reserved for the recipient in succeeding registration periods

and shall not be duplicated for issuance to any other person if the recipient maintains the plate, unless the recipient authorizes the issuance of the plate to another person. If the recipient does not maintain the plate for 2 successive years which are not plate issuance years or if the recipient does not specifically request reissuance of the personalized registration plate by the end of the month in which the plate expires in a plate issuance year, the department may issue the personalized registration plate to another applicant. Registration plate numbers issued as special numbers prior to January 1, 1979, will be reserved for issuance as personalized registration plates in the same manner as prescribed for personalized registration plates in this section.

(5) If an individual in possession of a personalized registration plate does not maintain the personalized registration plate under sub. (3) during a year which is not a plate issuance year, the individual shall:

(a) Dispose of the personalized plate in a manner prescribed by the department;

(b) In addition to the regular application fee, pay a \$4 fee for the issuance of replacement plates; and

(c) Return the certificate of title to the department for correction.

(6) Any registration plate issued sequentially to an applicant for original or renewal registration shall be available for issuance as a personalized registration plate if the plate has not been maintained for 2 successive years or if the recipient of the plate authorizes the issuance of the plate to another person.

(7) The department may refuse to issue any combination of letters or numbers, or both, which may carry connotations offensive to good taste or decency, or which would be misleading, or in conflict with the issuance of any other registration plates. All decisions of the department with respect to personalized registration plate applications shall be final and not subject to judicial review under ch. 227.

(8) The department may cancel and order the return of any personalized registration plates issued which contain any combination of letters or numbers, or both, which the department determines may carry connotations offensive to good taste and decency or which may be misleading. Any person ordered to return such plates shall either be reimbursed for any additional fees they paid for the plates for the registration year in which they are recalled, or be given at no additional cost replacement personalized registration plates, the issuance of which is in compliance with the statutes. A person who fails to return personalized registration plates upon request of the department may be required to forfeit not more than \$200.

**History:** 1971 c. 164 s. 83; 1977 c. 29 ss. 1419, 1654 (7) (a); 1977 c. 129, 418; 1983 a. 126, 270, 511, 538; 1985 a. 120 ss. 223m, 3200; 1985 a. 202 ss. 10 to 14, 37; 1985 a. 210, 332; 1987 a. 112; 1989 a. 31; 1991 a. 39.

**341.15 Display of registration plates. (1)** Whenever 2 registration plates are issued for a vehicle, one plate shall be attached to the front and one to the rear of the vehicle. Whenever only one registration plate is issued for a vehicle, the plate shall be attached as follows:

(a) If the vehicle is a truck tractor or road tractor or a motor truck issued the plate under s. 341.405 (2), to the front.

(b) For any other vehicle for which only one plate is issued, to the rear, except that a plate issued to a municipality under s. 341.26 (2m) may be attached to the front of the vehicle if the design or use of the vehicle is such as to make a plate attached to the rear difficult to see and read.

(1m) (a) Except as provided in par. (b), any registration decal or tag issued by the department shall be placed on the

rear registration plate of the vehicle in the manner directed by the department.

(b) Any registration decal or tag issued by the department for a truck tractor, road tractor or motor truck under sub. (1) (a) or for any other vehicle which may bear a registration plate attached to the front as provided in sub. (1) (b) shall be placed on the front registration plate of the vehicle in the manner directed by the department.

(2) Registration plates shall be attached firmly and rigidly in a horizontal position and conspicuous place. The plates shall at all times be maintained in a legible condition and shall be so displayed that they can be readily and distinctly seen and read. Any peace officer may require the operator of any vehicle on which plates are not properly displayed to display such plates as required by this section.

(3) Any of the following may be required to forfeit not more than \$200:

(a) A person who operates a vehicle for which a current registration plate or insert tag has been issued without such plate or tag being attached to the vehicle, except when such vehicle is being operated pursuant to a temporary operation permit or plate;

(b) A person who operates a vehicle with a registration plate attached in a non-rigid or non-horizontal manner or in an inconspicuous place so as to make it difficult to see and read the plate;

(c) A person who operates a vehicle with a registration plate in an illegible condition due to the accumulation of dirt or other foreign matter.

History: 1971 c. 278; 1981 c. 150; 1983 a. 258; 1985 a. 29; 1991 a. 239.

**341.16 Issuance of replacement plate.** (1) (a) Whenever a current registration plate is lost or destroyed, the owner of the vehicle to which the plate was attached shall immediately apply to the department for replacement. Except as provided in par. (b) and sub. (2m), upon satisfactory proof of the loss or destruction of the plate and upon payment of a fee of \$2 for each plate, the department shall issue a replacement.

(b) Upon satisfactory proof of the loss or destruction of a special plate issued under s. 341.14 (6m) (a) or (6r) (b) or a special personalized plate issued under s. 341.145 (1) (b) or (c) and upon payment of a fee of \$5 for each plate or, if the plate is for a special group specified under s. 341.14 (6r) (f) 35 to 47, \$6 for each plate, the department shall issue a replacement.

(2) Whenever a current registration plate becomes illegible, the owner of the vehicle to which the plate is attached shall apply to the department for a replacement. Except as provided in sub. (2m), upon receipt of satisfactory proof of illegibility, and upon payment of a fee of \$2 for each plate, the department shall issue a replacement. Upon receipt of a replacement plate, the applicant shall destroy the illegible plate.

(2m) Upon request therefor and payment of a fee of \$10, the department may issue an applicant for replacement plates for an automobile registered pursuant to the monthly series system registration plates of the design specified in s. 341.13 for the plate issuance cycle next succeeding the cycle under which the original plates were issued. The department may limit the receipt of requests under this subsection to applicants for a renewal registration of a motor vehicle.

(3) When issuing a replacement plate, the department may assign a new number and issue a new plate rather than a duplicate of the original if in its judgment that is in the best interests of economy or prevention of fraud. Upon receipt of a replacement plate, the applicant shall destroy all plates replaced.

(4) Any person issued replacement plates who fails to destroy the original plates as required by sub. (2) or (3) may be required to forfeit not more than \$200.

(5) This section does not apply to plates issued pursuant to the law pertaining to the registration of dealers, distributors, manufacturers or transporters.

History: 1971 c. 278; 1975 c. 39, 199; 1977 c. 29 ss. 1421, 1654 (7) (a); 1977 c. 273; 1983 a. 511; 1985 a. 202 s. 37; 1985 a. 310; 1987 a. 112; 1989 a. 302.

**341.17 Department to compile registration lists.** (1) At intervals selected by the department, the department shall compile a list of registrations made during that interval pursuant to the monthly series system of registering automobiles. The list shall give the name and address of each registrant, the registration number assigned, and other identifying information as the department deems necessary.

(2) The department shall compile a list by counties of new automobile and motor truck registrations. Registrations for other new vehicles may be included if deemed necessary by the department. Such lists shall be compiled at such intervals during the month as is deemed necessary by the department but the final list compiled each month shall include the listing of the last day of the month. Such list shall contain only those vehicles being registered for the first time after sale by a dealer. Such list shall contain the name and address of the owner, the make, body type, identification number of the vehicle, the dealer license number, if such dealer is registered in this state, and the date of sale.

(4) Upon request, the department shall distribute free of charge registration lists compiled under this section as follows:

(a) To each county clerk, one copy of each automobile registration list under sub. (1).

(c) To the sheriff of each county, one copy of each automobile registration list under sub. (1).

(d) To each chief of police, one copy of each automobile registration list under sub. (1).

(e) To each village clerk, one copy of each automobile registration list under sub. (1).

(g) To the department of revenue, the number of copies of each automobile registration list under sub. (1) as requested.

(5) Except as provided in sub. (9) (e), public officers and agencies receiving free copies of registration lists under sub. (4) shall keep such lists current and open to public inspection.

NOTE: Sub. (5) is shown as amended eff. 4-1-93 by 1991 Wis. Act 269. Prior to 4-1-93 it reads:

(5) Public officers and agencies receiving free copies of registration lists shall keep such lists current and open to public inspection.

(6) The department shall sell subscriptions to the registration lists compiled under this section and may sell other registration information. In computing the charge to be made for subscriptions to the registration lists and for other registration information, the department shall determine the costs of compiling the lists and other information and shall fairly apportion the major share of those costs among the subscribers and other purchasers.

(7) The department may suspend the compilation and distribution of the registration lists during a period of national war emergency and while new registration numbers are not being issued annually, but shall continue to transmit from time to time to the persons under sub. (4) who request free copies of the lists any additions to or changes in the lists issued during the year preceding suspension which are caused by the registration of vehicles not previously registered in the state or by the issuance of new registration numbers for vehicles previously registered.

(8) The department shall charge a fee of not less than \$2 for conducting a file search of vehicle registration records.

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91-92 Wis. Stats. 3568

**(9) (a)** In this subsection:

1. "Agent" means an authorized person who acts on behalf of or at the direction of another person.
2. "Insurer" has the meaning given in s. 600.03 (27).
3. "Personal identifier" means a name, street address, post-office box number or 9-digit extended zip code.
4. "State authority" has the meaning given in s. 19.62 (8).

(b) In providing copies under this section or s. 19.35 (1) (a) of any written information collected or prepared under this chapter or ch. 342 which consists in whole or in part of the personal identifiers of 10 or more persons, the department may not disclose a personal identifier of any person who has made a designation under s. 341.08 (1m) or 342.06 (1) (i) that his or her personal identifiers may not be disclosed as provided in this subsection.

**(c)** Paragraph (b) does not apply to any of the following:

1. A person receiving a registration list under sub. (4) to perform a legally authorized function.
2. A law enforcement agency, a state authority or a federal governmental agency to perform a legally authorized function.
3. An insurer authorized to write property and casualty insurance in this state or an agent of the insurer, if the insurer or agent uses the personal identifiers designated for nondisclosure under s. 341.08 (1m) or 342.06 (1) (i) for purposes of issuing or renewing a policy and related underwriting, billing or processing or paying a claim.

4. A person obtaining registration or title information for use in the conduct of a vehicle recall by the manufacturer of the vehicle or an agent of the manufacturer, if the person uses the personal identifiers designated for nondisclosure under s. 341.08 (1m) or 342.06 (1) (i) for vehicle recalls.

(d) 1. The department shall establish by rule a reasonable period for the processing of a designation under s. 341.08 (1m) or 342.06 (1) (i) and for complying with a designation under par. (b).

2. If an unanticipated number of designations results in the department not being able to process with a reasonable effort the designations within the period established by the department by rule under subd. 1, the department may determine that the preservation of public welfare necessitates the temporary extension of the period and establish the temporary extension by rule, using the procedure under s. 227.24.

(e) Any person who has received under par. (c) a personal identifier of any person who has made a designation under s. 341.08 (1m) or 342.06 (1) (i) shall keep the personal identifier confidential and may not disclose it except for a purpose applicable to that person under par. (c).

(f) 1. Any person who willfully discloses a personal identifier in violation of this subsection may be required to forfeit not more than \$500 for each violation.

2. Any person who willfully requests or obtains a personal identifier from the department under this subsection under false pretenses may be required to forfeit not more than \$500 for each violation.

3. Subdivisions 1 and 2 do not apply to a legal custodian under s. 19.33 of the department.

NOTE: Sub. (9) is created eff. 4-1-93 by 1991 Wis. Act 269.

History: 1971 c. 164; 1977 c. 29 ss 1422, 1654 (7) (a), (c); 1977 c. 273; 1979 c. 221; 1985 a. 202; 1987 a. 217; 1991 a. 269

**341.18 Evidence of registration to be displayed on vehicles registered under quarterly or consecutive monthly systems; operation without display of registration prohibited. (1)** A vehicle registered under s. 341.30 or 341.305 may not be operated on the highway without evidence of registration in the form required by the department displayed on or

in the vehicle as required by the department, unless the vehicle has been authorized to operate under s. 341.19.

**(2)** If a person claims as a defense to a citation for failure to display evidence of registration that the person has made application for annual registration as provided in s. 341.04 (1) (intro.) and no such application was submitted to the department and the person is convicted of operating the vehicle without registration, the person shall be required to pay the full annual fee upon registration of the vehicle, notwithstanding the eligibility of the vehicle for registration under s. 341.30 or 341.305. The court or the department shall order the annual registration under s. 341.04 (3) (c).

History: 1983 a. 469

**341.185 Application for quarterly or consecutive monthly registration. (1) RENEWAL APPLICATION.**

(a) Application for renewal of quarterly or consecutive monthly registration shall be made to the department upon forms prescribed by the department and shall be accompanied by the required fee. An applicant may obtain evidence of registration before the beginning of the registration period for which application is made by submitting for receipt by the department on or before the 15th day of the month preceding the registration period a complete application accompanied by the required fee.

(b) If the applicant complies with par. (a) and does not receive evidence of registration before the beginning of the registration period, the applicant may, before the beginning of the registration period, utilize the telephone authorization procedure in s. 341.19 without charge.

(c) If the application for renewal of a quarterly or consecutive monthly registration is submitted after the 15th day of the month preceding the beginning of the registration period, and evidence of registration is not received before the beginning of the registration period, the applicant may not operate the vehicle on a highway unless the applicant utilizes the telephone authorization procedure in s. 341.19.

**(2) ORIGINAL APPLICATION.** An applicant for original registration of a vehicle under the quarterly or consecutive monthly registration system may not operate the vehicle on a highway without evidence of registration as determined by the department or a permit under s. 341.09 (6) displayed in or on the vehicle, unless the applicant obtains authorization to operate the vehicle as provided in s. 341.19.

History: 1983 a. 469; 1987 a. 369

**341.19 Telephone authorization for quarterly and consecutive monthly registration. (1)**

The department shall establish a telephone call-in procedure to authorize the operation of vehicles under the quarterly registration system in s. 341.30 or consecutive monthly registration system in s. 341.305. In addition to the registration fee required under s. 341.30 or 341.305, the following fees shall be paid to the department for authorizing the operation of a vehicle under this section:

(a) The lesser of \$10 per vehicle or the actual cost of the telephone authorization per vehicle as determined by the department.

(b) Five dollars per vehicle as a late payment for fees received after the time period established by the department.

**(2) (a)** The department may require that cancellation of telephone authorization be made by telephone.

(b) Telephone authorization to operate a vehicle granted on or after the beginning of a registration period may not be canceled by an applicant, and the applicant shall pay to the department all fees required in sub. (1).

(c) Telephone authorization to operate a vehicle granted before the beginning of the registration period may be canceled by the applicant before the beginning of the registra-

tion period, and the applicant shall not be required to pay the registration fee. The applicant shall pay to the department the authorization fee under sub. (1) (a) and may be charged a cancellation fee established by the department.

(3) The department may refuse telephone authorization to an applicant who does not comply with this section or whose registration has been suspended under s. 341.195.

(4) The department shall promulgate rules to implement this section.

History: 1983 a. 469.

**341.195 Suspension for failure to pay fees for telephone authorization.** The department may suspend any or all registrations of a person who obtains authorization to operate under s. 341.19 and fails to pay the required authorization and registration fees within the time period established by the department under s. 341.19. A registration suspended under this section shall remain suspended until the fees required in s. 341.19 are paid.

History: 1983 a. 469.

## SUBCHAPTER II

### PROVISIONS RELATING TO REGISTRATION FEES

**341.25 Annual registration fees; biennial motorcycle fees.** (1) Unless a different fee is prescribed for a particular vehicle by par. (b) or ss. 341.26 to 341.268, the following registration fees shall be paid to the department for the annual registration of each motor vehicle, mobile home, trailer or semitrailer not exempted by s. 341.05 from registration in this state:

(a) For each automobile or station wagon, a fee of \$40, except that an automobile registered in this state prior to September 1, 1947, at a fee of less than \$18 shall be registered at such lesser fee plus an additional fee of \$2.

(b) For each motorcycle or moped with a curb weight of 1,499 pounds or less, except a specially designed vehicle under s. 341.067, which is designed for the transportation of persons rather than property, a biennial fee of \$20. Registration plates issued under this paragraph expire on April 30 of even-numbered years.

(bn) For each specially designed vehicle under s. 341.067, a fee of \$5.

(c) For each motor truck or dual purpose motor home, a fee to be determined in accordance with sub. (2) on the basis of the maximum gross weight of the vehicle. Maximum gross weight shall be determined by adding together the weight in pounds of the vehicle when equipped to carry a load as a motor truck and the maximum load in pounds which the applicant proposes to carry on the vehicle when used as a motor truck.

(cm) For each motor truck used in combination with a semitrailer which converts to a trailer, a fee to be determined in accordance with sub. (2) on the basis of the maximum combined gross weight of the motor truck and any semitrailer which the applicant proposes to combine with the motor truck. The maximum combined gross weight shall in every case be determined by adding together the weight in pounds of the combination of vehicles when equipped to carry a load and the maximum load in pounds which the applicant proposes to carry on the combinations of vehicles.

(d) For each road tractor, a fee to be determined in accordance with sub. (2) on the basis of the maximum gross weight of the vehicle.

(e) For each truck tractor, a fee to be determined in accordance with sub. (2) on the basis of the maximum combined gross weight of such truck tractor and any trailer

and semitrailer which the applicant proposes to combine with such truck tractor. The maximum combined gross weight shall in every case be determined by adding together the weight in pounds of the combination of vehicles when equipped to carry a load and the maximum load in pounds which the applicant proposes to carry on the combinations of vehicles.

(g) For each trailer or semitrailer designed to be hauled by a motor vehicle other than a truck tractor and not coming within the provisions of par. (gd) or (ge) or s. 341.264, a fee which is equal to the fee prescribed for a motor truck of the same maximum gross weight. The maximum gross weight shall be determined in the same manner as for a motor truck.

(gd) For each trailer or semitrailer or camping trailer having a gross weight of 3,000 pounds or less and used for hire or rental, a fee which is one-half of the fee prescribed for a motor truck of the same maximum gross weight. The maximum gross weight shall be determined in the same manner as for a motor truck. A trailer under this paragraph which is part of a fleet of 100 or more trailers used for hire or rental may be registered under s. 341.308.

(ge) For each trailer or semitrailer having a gross weight of more than 3,000 pounds but not more than 12,000 pounds designed to be hauled by a motor vehicle other than a truck tractor and not coming within the provisions of s. 341.264, a fee which is one-half of the fee prescribed for a motor truck of the same maximum gross weight. The maximum gross weight shall be determined in the same manner as for a motor truck. A trailer under this paragraph having a gross weight of 4,500 pounds or less and used for hire or rental and which is part of a fleet of 100 or more trailers used for hire or rental may be registered under s. 341.308.

(gg) For each camping trailer having a gross weight of more than 3,000 pounds, an annual fee equal to the fee prescribed for a mobile home having the same length.

(gm) 1. Each trailer or temporary undercarriage towed by a motor vehicle registered pursuant to sub. (2) and used solely for transporting a modular housing unit or other portable building used or intended to be used for human occupancy may be operated on the highways of this state without such trailer or temporary undercarriage being registered if it has displayed upon it a valid registration plate issued under this section.

2. Any person may apply to the department for registration as a transporter under this paragraph on such form as the department provides. If the department determines that the person is entitled to be registered, the department shall register the person upon payment of the same fee as prescribed in par. (g), based on the maximum combined gross weight of the building and trailer or temporary undercarriage upon which the plate is displayed. The registration and plate are valid only during the calendar year in which they were issued and shall be subject to s. 341.30 (1) (c). Such plate may be used on any trailer or temporary undercarriage owned by the same person and used solely for transporting a modular housing unit or other portable building as referred to above and the return of empty trailers or temporary undercarriages.

(h) For each motor bus a fee to be determined in accordance with sub. (2) on the basis of the maximum gross weight of the vehicle. The maximum gross weight shall be determined by adding together the weight in pounds of the vehicle when equipped ready to carry passengers and the total passenger weight capacity in pounds. The total passenger weight capacity in pounds shall be determined by dividing by 20 the total length in inches of seating space in or on the vehicle, including the driver's seat, and multiplying this result by 150.

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(i) For each mobile home 25 feet or less in length, a fee of \$12; for each mobile home more than 25 feet in length, a fee of \$18.

(j) For each motor home, including any vehicle which is converted to be used as a motor home, an annual fee based on gross weight, as follows:

Gross weight in pounds	Annual fee
1. Not more than 5,000	\$ 45
2. Not more than 8,000	51
3. Not more than 12,000	63
4. Not more than 16,000	75
5. Not more than 20,000	87
6. Not more than 26,000	99
7. More than 26,000	111

(k) For each human service vehicle, a fee equal to the fee for an automobile under par. (a).

(2) The following schedule shall be used in determining fees based on gross weight, provided that a surcharge of \$18 shall be added to and collected with the fee for each truck tractor:

Maximum gross weight in pounds	Annual fee
(a) Not more than 4,500	\$ 45
(b) Not more than 6,000	57
(c) Not more than 8,000	72
(cm) Not more than 10,000	111
(d) Not more than 12,000	150
(e) Not more than 16,000	203
(f) Not more than 20,000	255
(g) Not more than 26,000	340
(h) Not more than 32,000	436
(i) Not more than 38,000	552
(j) Not more than 44,000	659
(k) Not more than 50,000	761
(km) Not more than 54,000	812
(L) Not more than 56,000	865
(m) Not more than 62,000	978
(n) Not more than 68,000	1,104
(o) Not more than 73,000	1,256
(p) Not more than 76,000	1,489
(q) Not more than 80,000	1,832

(3) Upon payment of the fee prescribed by law, a vehicle subject to registration on the basis of gross weight may be registered at a weight in excess of the manufacturer's maximum gross weight rating, but such registration does not exempt such vehicle from compliance with weight limitations imposed by law or by state or local authorities pursuant to authority of law.

(4) Registration fees apportioned to this state under the international registration plan under s. 341.405 are derived under this section.

**History:** 1973 c. 67, 90, 270, 333; 1975 c. 39 s. 734; 1975 c. 136; 1977 c. 29 ss. 1422m to 1430, 1654 (7) (a); 1977 c. 288, 418; 1979 c. 34, 221; 1981 c. 20; 1983 a. 175, 243; 1985 a. 65; 1985 a. 208 ss. 7, 8, 11; 1987 a. 212, 403; 1989 a. 31; 1991 a. 39

**341.255 Registration certificate special handling; counter service and telephone transaction fees. (1)** The department shall charge a fee to be established by rule for processing applications for registration which have a special handling request for fast service. The fee shall approximate the cost to the department for providing this special handling service to persons so requesting.

(2) The department shall charge the following fees for counter services:

(a) For each transaction relating to a certificate of title, \$2.

(b) For each transaction relating to a registration not involving a certificate of title, \$2; except that if the registra-

tion is solely a renewal of the previous year's registration the fee shall be \$1.

(c) For each transaction which is a combination of a certificate of title and registration for the same vehicle, \$2.

(3) If the department permits the renewal of a previous year's registration by telephone with use of a credit card, the department shall charge a fee to be established by rule for each transaction. The fee shall approximate the cost to the department for providing this service to persons so requesting.

**History:** 1975 c. 39; 1977 c. 29 s. 1654 (7) (a); 1977 c. 418; 1981 c. 20; 1991 a. 39

**341.26 Special registration fees for certain vehicles. (1) SPECIAL MOBILE EQUIPMENT FEE.** Unless exempted under s. 341.05, a fee of \$18 or a fee which is 10% of the fee prescribed for a motor truck of the same weight under s. 341.25 (2), whichever is greater, shall be paid to the department for annual registration of the following types of special mobile equipment:

(a) A motor truck or traction well-drilling rig permanently equipped with a well-drilling outfit and used exclusively for well-drilling purposes.

(b) A motor truck or 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.

(c) A 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.

(d) A mobile crane or trench hoe used for bridge or building construction, for ditching and excavating, for heavy machinery removal or installation or for loading and handling of heavy articles.

(e) A motor vehicle, trailer or semitrailer, if operated empty or transporting the equipment of the owner to or from a certain location, when such operation at the location is any of the following:

1. The performance of work on a contract for the construction or maintenance of highways or airports for the United States, the state or any political subdivision thereof; or

2. The production of agricultural lime; or

3. The clearing of land, building of dikes, or terracing and ditching for the purpose of soil erosion control, farm drainage or forestry.

(f) A motor truck on which is mounted feed grinding and mixing equipment and used exclusively as a portable feed mill.

(g) A motor vehicle not used for hire and used in conjunction with a trailer on which is permanently mounted equipment used for wood chipping and screening.

(h) A trailer on which is permanently mounted equipment used exclusively for wood chipping and screening.

(2) **FIVE-DOLLAR FEE FOR 5-YEAR REGISTRATION OF CERTAIN VEHICLES.** A registration under this subsection expires on December 31 every 5th year. The first 5-year registration period under this subsection terminates on December 31, 1993. A registration fee of \$5 shall be paid to the department for the registration of each of the following vehicles:

(a) A driver education vehicle under s. 341.267.

(b) Any vehicle loaned to this state or to any county or municipality of this state for the duration of any war emergency and operated exclusively for civilian defense purposes by such state, county or municipality.

(d) A school bus owned and operated by a school district and used for the transportation of pupils to or from points designated by the school, including curricular and extracur-

ricular activities and nonpupil transportation under s. 120.13 (27).

(dm) A school bus which is not owned and operated by a school district and which is used to transport pupils to or from points designated by the school, including curricular and extracurricular activities.

(e) A motor bus owned and operated by a charitable corporation and used exclusively for the purposes for which incorporated and not used for hire.

(em) A motor bus owned and operated by a nonstock nonprofit corporation and used exclusively for transporting groups participating in parades or other entertainment, including, without limitation because of enumeration, musical marching groups, drill or baton teams or color guards.

(f) A motor vehicle operated exclusively as a Red Cross blood bank vehicle.

(g) A motor vehicle operated exclusively by a nationally chartered war veterans' organization and used only for the purpose of advertising the organization.

(h) A motor vehicle used for the urban mass transportation of passengers as defined in s. 71.38.

(i) A motor vehicle owned and operated exclusively by the civil air patrol.

(j) A motor vehicle and semitrailer operated exclusively as a mobile X-ray unit owned and operated by a nonprofit corporation and used exclusively for the purposes for which incorporated and not for hire.

(k) A fire truck owned and operated exclusively by an incorporated volunteer fire department.

(m) A motor vehicle leased or owned and operated by a voluntary nonprofit organization and used exclusively for rescue work. In this paragraph, "rescue work" means the rendering of first aid and emergency transportation to persons in need of immediate medical attention.

(n) A motor vehicle owned by a nonprofit organization and used exclusively for the purpose of dispensing food and drink at the site of a disaster to emergency workers or to persons affected by the disaster.

**(2m) PUBLICLY OWNED VEHICLES.** (a) A fee of \$5 shall be paid to the department for the original issuance of a registration plate for any vehicle owned by this state or by any county or municipality or federally recognized Indian tribe or band in this state and operated exclusively, except for operation under s. 20.916 (7), in the public service by such state, county, municipality, Indian tribe or band. The registration shall be valid while the vehicle is owned and operated by the registrant and the registrant complies with s. 110.20 (6).

(b) If a vehicle is replaced, reassignment of plate to replacement vehicle shall be made with payment of \$1.

**(3) AGRICULTURAL VEHICLES.** In recognition of the relationship of the basic economy of the state to agriculture and the production and marketing of milk, there shall be paid to the department for the registration of the following vehicles the fees prescribed in this subsection:

(a) 1. For each farm truck having a gross weight of 12,000 pounds or less, a biennial fee of \$42. Registration plates issued under this subdivision expire on the last day of February of even-numbered years.

2. For each farm truck having a gross weight of more than 12,000 pounds, an annual fee which is one-fourth of the fee prescribed in s. 341.25 (2) for a motor truck having the same gross weight.

(am) For each dual purpose farm truck having a registered gross weight of 12,000 pounds or less, an annual fee to be determined in accordance with s. 341.25 (2) on the basis of the maximum gross weight of the vehicle. Maximum gross weight shall be determined by adding together the weight in pounds

of the vehicle when equipped to carry a load as a motor truck and the maximum load in pounds which the applicant proposes to carry on the vehicle when used as a motor truck. A motor truck registered under this paragraph may be operated at a maximum gross weight of not more than 12,000 pounds when used for the purposes of a farm truck.

(ar) For each farm truck tractor, an annual fee which is 25% of the fee under s. 341.25 (2) for a truck tractor having the same gross weight, determined on the basis of the maximum combined gross weight of the farm truck tractor and any trailer or semitrailer which the applicant proposes to combine with the farm truck tractor. Maximum combined gross weight shall be determined by adding together the weight in pounds of the combination of vehicles when equipped to carry a load and the maximum load in pounds which the applicant proposes to carry on the combination of vehicles.

(b) For each farm trailer, an annual fee which is 25% of the fee prescribed by s. 341.25 (2) for a motor truck having the same gross weight, except that a farm trailer used with a farm truck tractor shall be registered at a fee of \$5.

(c) For each motor vehicle used exclusively in the transportation of milk from the point of production to the primary market, and the return of dairy supplies and dairy products from such primary market to the farm, an annual fee to be determined in accordance with par. (g) on the basis of maximum gross weight.

(d) For each motor vehicle used exclusively in the transportation of cheese, butter and powdered milk when such cheese, butter and powdered milk are transported from plant to plant or to warehouses within this state, an annual fee to be determined in accordance with par. (g) on the basis of maximum gross weight.

(da) For each motor vehicle used exclusively in the transportation of liquid dairy products, an annual fee to be determined in accordance with par. (g) on the basis of maximum gross weight.

(e) A person owning and operating more truck tractors than semitrailers registered by that person within this state and used exclusively for transporting liquid dairy products may register such excess truck tractors at the annual fees specified in par. (g), provided that that person uses such excess truck tractors exclusively with such semitrailers. The fee shall be determined on the basis of weight of the truck tractor only.

(f) In pars. (da) and (e), "liquid dairy products" means milk and products of milk in liquid form, including without limitation because of enumeration, condensed and sweetened condensed products of milk, both in raw and pasteurized form, whey and liquid whey sugars.

(g) The following schedule shall be used in determining fees for vehicles registered under par. (c), (d), (da) or (e) or sub. (3m), based on gross weight, provided that a surcharge of \$18 shall be added to and collected with the fee for each truck tractor:

Maximum gross weight in pounds	Annual fee
1. Not more than 4,500	\$ 24
2. Not more than 6,000	34
3. Not more than 8,000	40
3m. Not more than 10,000	56
4. Not more than 12,000	72
5. Not more than 16,000	102
6. Not more than 20,000	132
7. Not more than 26,000	177
8. Not more than 32,000	228
9. Not more than 38,000	288

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10. Not more than 44,000	345
11. Not more than 50,000	396
11m. Not more than 54,000	424
12. Not more than 56,000	453
13. Not more than 62,000	513
14. Not more than 68,000	579
15. Not more than 73,000	660
16. Not more than 76,000	780
17. Not more than 80,000	960

(h) Except as otherwise provided in par. (e), the maximum gross weight of each vehicle under this subsection shall be computed as provided in s. 341.25 for the same type of vehicle.

**(3m) FOREST PRODUCTS VEHICLES.** In recognition of the relationship of the basic economy of the state to the forest products industry, there shall be paid to the department for the annual registration of a road tractor, motor truck or truck tractor used exclusively in connection with the transportation of raw forest products, as defined in s. 26.05 (1), or equipment that is owned or leased by the owner of the road tractor, motor truck or truck tractor and used exclusively in the production of raw forest products, a fee determined in accordance with sub. (3) (g) on the basis of maximum gross weight, except that a trailer used exclusively in connection with the transportation of raw forest products or equipment that is owned or leased by the owner of the trailer and used exclusively in the production of raw forest products may be registered upon payment of a fee which is 25% of the fee prescribed by s. 341.25 (2) for a motor truck having the same gross weight. The maximum gross weight of each vehicle registered under this subsection shall be computed in the manner specified in s. 341.25 for the same type of vehicle, except that a person who owns and operates more truck tractors than semitrailers registered by him or her within this state and used exclusively as provided in this subsection may register such an excess truck tractor at a fee specified under sub. (3) (g) determined on the basis of the weight of the truck tractor only.

**(4) GRADING, DITCHING, EXCAVATING OR HAULING VEHICLES.** Except for those vehicles that qualify for registration under sub. (1) (a) to (e), any motor vehicle, trailer or semitrailer, if operated empty, or used exclusively in transporting the equipment of the owner to or from a certain location over the highways, when such operation at the location is exclusively for grading, ditching or excavating or when such equipment is used exclusively for seasonal hauling of carnival rides and equipment, shall be registered at one-fourth of the fee specified in s. 341.25 (2) for vehicles or combinations of vehicles of the same gross weight.

**(5) TOUR TRAINS.** For each tour train, the operation of which is limited in s. 348.08 (1) (c), a single fee for the 3 or less units thereof equal to one-half of the fee prescribed in s. 341.25 (1) (h) for a motor bus of the same maximum gross weight as the aggregate maximum gross weight of all units of the tour train, excluding the propelling motor vehicle, when such gross weight is computed as prescribed in s. 341.25 (1) (h).

**(7) TRANSPORTATION BY SCHOOL BUSES.** (a) A person who uses any school bus, except a school bus registered under sub. (2) (d), a school bus registered under sub. (2) (dm) and used by the owner for private carriage and not for hire or a school bus registered as provided in par. (b), to transport persons who are not pupils shall obtain a permit from the department for such transportation. The department shall issue a permit which shall be valid for a period of not more than 72 hours upon application and payment of a \$10 permit issuance fee.

(b) When engaged in passenger-carrying operations other than as provided in par. (a) or sub. (2) (d), a school bus shall be registered as a motor bus at a fee determined under s. 341.25 (2), or as an automobile or station wagon at the fee provided in s. 341.25 (1) (a). Fees for registration under s. 341.25 (2) may be paid in accordance with ss. 341.30 and 341.31. Fees for part-quarterly registration shall be computed on the basis of one-twelfth of the annual fee multiplied by the number of months of the current quarter which have not fully expired on the date of the application. If a vehicle was not operated in other than school bus service, an affidavit of nonoperation satisfactory to the department shall be filed with the application.

**History:** 1971 c. 164 s. 83; 1971 c. 250; 1973 c. 200, 325, 333; 1975 c. 429; 1977 c. 23; 1977 c. 29 ss. 1431 to 1434, 1654 (7) (a); 1977 c. 145, 292, 418, 447; 1979 c. 32 ss. 69, 92 (1); 1979 c. 221; 1981 c. 20; 1983 a. 152, 175, 180, 192, 227, 270, 538; 1985 a. 120, 187; 1987 a. 106, 154, 216; 1987 a. 312 s. 17; 1987 a. 399, 403; 1989 a. 31; 1991 a. 39, 316.

**341.264 Permanent semitrailer registration.** (1) Upon application and payment of a fee of \$50, the department shall register a semitrailer which is operated in connection with a truck tractor or hauled by a motor vehicle and used with a device which converts the semitrailer to a trailer. Except for a semitrailer registered under sub. (3), registration under this section is valid while the registrant is the owner of the semitrailer without the payment of any additional fee. The department shall issue a permanent semitrailer registration plate to evidence registration under this subsection.

(2) Upon the sale of a semitrailer registered under this section, the seller shall remove the registration plate and destroy it. The purchaser shall immediately apply for registration and pay the full applicable fee prescribed in sub. (1) or established under sub. (3). The seller shall receive no credit toward the registration of any other vehicle.

(3) A motor carrier may register a semitrailer operated in connection with a truck tractor or hauled by a motor truck and used with a device which converts the semitrailer to a trailer under the international registration plan for a 12-year period in lieu of registering the semitrailer under sub. (1). The department may establish a fee under this subsection based on administrative cost.

**History:** 1985 a. 208; 1989 a. 31

**341.265 Antique motor vehicles; registration, plates, use.**

(1) Any person who is a resident of this state and the owner or subsequent transferee of a motor vehicle which has a model year of 1945 or earlier and which has not been altered or modified from the original manufacturer's specifications may upon application register the same as an antique vehicle upon payment of a fee of \$5, and be furnished registration plates of a distinctive design, in lieu of the usual registration plates, which shall show in addition to the registration number that the vehicle is an antique. The registration shall be valid while the vehicle is owned by the applicant without the payment of any additional fee. The vehicle shall only be used for special occasions such as display and parade purposes or for necessary testing, maintenance and storage purposes.

(1m) A person who registers an antique motor vehicle under sub. (1) may furnish and display on the vehicle a historical plate from or representing the model year of the vehicle if the registration and plates issued by the department are simultaneously carried in the vehicle and are available for inspection.

(2) Unless inconsistent with this section, the provisions applicable to other motor vehicles apply to antique motor vehicles.

**History:** 1979 c. 146; 1985 a. 96, 105, 332; 1987 a. 210, 349, 403.



**341.266 Special interest vehicles; registration, plates, use. (1)** In this section:

(a) "Collector" means the owner of one or more special interest vehicles who collects, purchases, acquires, trades or disposes of special interest vehicles or parts thereof for the collector's own use in order to restore, preserve and maintain a special interest vehicle for historic interest.

(b) "Parts car" means a motor vehicle generally in nonoperable condition which is owned by the collector to furnish parts which will enable the collector to restore, preserve and maintain a special interest vehicle or antique vehicle.

(c) "Special interest vehicle" means a motor vehicle of any age which has not been altered or modified from original manufacturers specifications and, because of its historic interest, is being preserved by hobbyists.

(2) (a) Any person who is the owner of a special interest vehicle which 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).

(b) The fee to register a vehicle under par. (a) is twice the regular annual fee under s. 341.25 for the type of vehicle, except that the fee for a vehicle that has a gross weight of more than 8,000 pounds may be no more than twice the annual fee for a similar vehicle that has a gross weight of not more than 8,000 pounds.

(c) The department shall furnish the owner of the vehicle with registration plates of a distinctive design in lieu of the usual registration plates, and those plates shall show that the vehicle is a special interest vehicle owned by a Wisconsin collector. Upon application, the owner may reregister the vehicle without the payment of any additional fee.

(d) Each collector applying for special interest vehicle registration plates will be issued a collector's identification number which will appear on each plate. Second and all subsequent registrations under this section by the same collector will bear the same collector's identification number followed by a suffix letter for vehicle identification.

(e) The vehicle may be used as are other vehicles of the same type except that:

1. Motor vehicles may not transport passengers for hire.
2. Trucks may not haul material weighing more than 500 pounds.
3. Except as provided in s. 341.09 (7), no special interest vehicle may be operated upon any highway of this state during the month of January unless the owner of the vehicle reregisters the vehicle under s. 341.25 and replaces the distinctive registration plates issued under par. (c) with regular registration plates or transfers regular registration plates to the vehicle.

(f) Unless inconsistent with this section, the provisions applicable to other vehicles shall apply to special interest vehicles.

(3) In addition to the fee in sub. (2) (b), there shall be an original (first time only) processing fee of \$50 to defray the cost of issuing the original collector's special interest vehicle registration plates and to ensure that each collector will be issued only one collector's identification number.

(4) A collector may store unlicensed, operable or inoperable, vehicles and parts cars on the collector's property provided the vehicles and parts cars and the outdoor storage area are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary

public view by means of a fence, rapidly growing trees, shrubbery or other appropriate means.

(5) Any person who violates sub. (2) (e) 3 may be required to forfeit not more than \$200.

**History:** 1971 c. 299; 1985 a. 332 s. 251 (4); 1987 a. 349; 1989 a. 137; 1991 a. 81, 316.

**341.267 Driver education motor vehicles; registration and insurance. (1)** In this section:

(a) "Driver education vehicle" means any of the following:

1. Any motor vehicle loaned to a school by a licensed motor vehicle dealer which is used for the exclusive purpose of behind-the-wheel instruction or for necessary maintenance and storage.

2. Any motor vehicle owned or leased by a school which is used for behind-the-wheel instruction.

(b) "School" means a public or nonpublic school having an approved driver education program as certified by the department of public instruction or the board of vocational, technical and adult education.

(1m) The department of public instruction shall establish uniform marking standards for a motor vehicle which is used as a driver education vehicle. The markings shall be removed when the owned or leased vehicle is being operated for other than behind-the-wheel instruction or necessary maintenance and storage.

(1r) Any person who makes a false statement in an application to register a driver education vehicle or who uses a driver education vehicle which is registered under s. 341.26 (2) (a) except as authorized under this section may be required to forfeit not more than \$200.

(2) A driver education vehicle shall be registered as provided in s. 341.26 (2). If a driver education vehicle is replaced, reassignment of the plate to a replacement driver education vehicle shall be made by the department on request without payment of an additional fee. The department shall issue plates of a distinctive design upon the registration of a driver education vehicle.

(5) No motor vehicle may be used for driver education unless a policy of bodily injury and property damage liability insurance issued by an insurer authorized to transact business in this state, is maintained thereon. The policy shall provide such coverages in at least such amounts as are specified under s. 344.01 (2) (d). However, the department may require additional coverages and amounts as conditions warrant.

(6) No insurance policy issued under sub. (5) may be terminated or canceled prior to its expiration for any reason unless a notice thereof is filed with the department and with the school at least 30 days prior to the date of termination or cancellation.

(7) No registration shall be issued or remain in force for a driver education vehicle unless a certification of insurance in such form as the department may require is filed with the department by the insurer certifying that a policy of insurance, as required by this section, has been issued and is in effect which covers the owner, operator, instructor, school and any passengers in the vehicle.

**History:** 1973 c. 200; 1975 c. 235; 1977 c. 29 s. 1654 (7) (a), (e); 1981 c. 188; 1987 a. 216.

**341.268 Reconstructed and homemade vehicles; registration, plates, use. (1)** In this section:

(a) "Hobbyist" means the owner of one or more reconstructed or homemade vehicles who collects, purchases, acquires, trades or disposes of reconstructed or homemade vehicles or parts thereof for personal use in order to build, reconstruct, restore, preserve and maintain a reconstructed or homemade vehicle for historic or hobby interest.

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(b) "Homemade vehicle" means a motor vehicle which has been constructed or assembled from new or used parts or both using a body and frame not originating from any previously manufactured motor vehicle.

(c) "Parts car" means a motor vehicle generally in nonoperable condition which is owned by the hobbyist to furnish parts which will enable the hobbyist to build, reconstruct, restore, preserve and maintain a reconstructed or homemade vehicle.

(d) "Reconstructed vehicle" means a motor vehicle of any age which has been substantially altered or modified from original manufacturers specifications.

(2) Any person who is the owner of a reconstructed vehicle assembled from a vehicle manufactured 20 years or more prior to the time of making application for registration or transfer of title of the vehicle or any person who is the owner of a homemade vehicle, may upon application register the same as a reconstructed or homemade vehicle upon payment of a fee of \$40, and be furnished registration plates of a distinctive design in lieu of the usual registration plates which shall show that the vehicle is a reconstructed or homemade vehicle owned by a Wisconsin hobbyist. The registration shall be valid while the vehicle is owned by the applicant without the payment of any additional fee. The vehicle may be used as are other vehicles of the same type except that motor vehicles may not transport passengers for hire and trucks may not haul material weighing more than 500 pounds. Unless inconsistent with this section, the provisions of this chapter applicable to other vehicles shall apply to reconstructed and homemade vehicles.

(a) Each hobbyist applying for reconstructed or homemade vehicle registration plates will be issued a hobbyist's identification number which will appear on each plate. Second and all subsequent registrations under this section by the same hobbyist will bear the same hobbyist's identification number followed by a suffix letter for vehicle identification.

(b) A hobbyist must own and have registered one or more vehicles with regular registration plates which the hobbyist uses for regular transportation.

(3) In addition to the fee in sub. (2), there shall be an original (first time only) processing fee of \$20 to defray the cost of issuing the original hobbyist's reconstructed or homemade vehicle registration plates and to ensure that each hobbyist will be issued only one hobbyist's identification number.

(4) A hobbyist may store unlicensed, operable or inoperable, vehicles and parts cars on the hobbyist's property provided the vehicles and parts cars and outdoor storage area are maintained in such a manner that they do not constitute a health hazard and are screened from ordinary public view by means of a fence, rapidly growing trees, shrubbery or other appropriate means.

*History:* 1975 c. 94 s. 3; 1975 c. 417; 1985 a. 332 s. 251 (4); 1987 a. 349.

**341.27 Registration periods for private automobiles and taxicabs.** (1) All automobiles other than those that may be registered under s. 341.265, 341.26 (2), 341.266 or 341.268 or are required by s. 341.29 to be registered on a calendar-year basis shall be registered by the department according to the monthly series system of registration prescribed by this section.

(2) There are established 12 registration periods, each to be designated by a calendar month and to start on the first day of such month and end on the last day of the twelfth month from the date of commencing. The department shall so administer the monthly series system of registration as to

distribute the work of registering automobiles as uniformly as practicable throughout the calendar year.

(3) All automobiles subject to registration under the monthly series system shall be registered by the department for a period of 12 consecutive calendar months except as follows:

(a) Except as provided in s. 341.28 (2) (c), if the applicant holds current registration plates which were removed from an automobile which the applicant no longer owns or which has been junked, is no longer used on the highways or has been registered as a special interest vehicle under s. 341.266 (2) (a), and the plates were issued under the monthly series system, the department shall register the automobile which is the subject of the application for the remainder of the unexpired registration period.

(b) If the applicant does not hold current registration plates under the circumstances described in par. (a) and the application is an original rather than renewal application, the department may register the automobile which is the subject of the application for such period or part thereof as the secretary determines will help to equalize the registration and renewal workload of the department.

*History:* 1971 c. 164 s. 82; 1971 c. 299; 1973 c. 200; 1975 c. 33, 199, 417; 1977 c. 29 ss. 1438, 1654 (7) (a), (c); 1977 c. 272; 1983 a. 227, 270; 1987 a. 216 s. 20; 1989 a. 137.

**341.28 When part-year fees payable for private automobiles; computation of part-year fees.** (1) The applicant for registration of an automobile under the monthly series system shall pay in full the annual registration fee prescribed by law, except as otherwise provided in this section.

(2) If the applicant for registration holds current registration plates which were removed from an automobile which the applicant no longer owns or which has been junked, is no longer being used on the highways or has been registered as a special interest vehicle under s. 341.266 (2) (a), and the plates were issued under the monthly series system, the applicant is exempt from the payment of a registration fee, except in the following cases:

(a) If the annual fee prescribed for the automobile being registered is higher than the annual fee prescribed for the automobile from which the plates were removed, the applicant shall pay a fee computed on the basis of one-twelfth of the difference between the 2 annual fees multiplied by the number of months for which the automobile which is the subject of the application is being registered. The start of the new registration, for the purpose of computing the fee, shall be determined in accordance with sub. (7).

(b) If the automobile which is the subject of the application was owned by the applicant at the time of and on or before the 15th day of the month in which the transfer, discontinuance of use on the highways, junking or registration under s. 341.266 (2) (a) of the other automobile occurred and was not currently registered at the time of such transfer, discontinuance of use on the highways, junking or registration under s. 341.266 (2) (a), the applicant shall pay a fee to be computed as provided in subs. (3) to (5) but shall receive a credit for the unused portion of the current registration. The credit shall be computed on the basis of one-twelfth of the annual fee paid for the vehicle from which the plates were removed multiplied by the number of months remaining in the registration period represented by the removed plates, including the month during which the applicant transferred, discontinued to use on the highways, junked or registered under s. 341.266 (2) (a) the automobile from which the plates were removed if the transfer, discontinuance of use on the highways, junking or

registration under s. 341.266 (2) (a) occurred on or before the 15th day of the month.

(c) The credit or plate transfer provisions authorized under this subsection do not apply if the applicant has, within the preceding 12 months, transferred or received credit for registration plates removed from the automobile which is the subject of the application.

(3) If the applicant does not hold current registration plates under the circumstances described in sub. (2) and the automobile which is the subject of the application has not previously been registered in this state by the applicant, the fee payable by the applicant shall be computed on the basis of one-twelfth of the annual fee multiplied by the number of months for which the automobile is being registered, the start of such registration period to be determined in accordance with sub. (7).

(4) If the applicant does not hold current registration plates under the circumstances described in sub. (2) but the automobile which is the subject of the application has previously been registered in this state by the applicant, the applicant shall pay a fee covering all the time since the end of the period for which the automobile previously was registered unless:

(a) The automobile in the meantime has been owned by another person or registered in another state; or

(b) At least 12 months have elapsed since the end of the period for which the automobile previously was registered and the applicant filed with the department a statement that the applicant did not during those 12 months operate or consent to the operation of such automobile under circumstances making the automobile subject to registration in this state; or

(c) The automobile is owned by a person who has been in active military service and less than 12 months of nonoperation have elapsed since the end of the period for which the automobile was previously registered, provided the applicant files with the department a statement of such nonoperation; or

(d) The automobile is subject to the provisions of sub. (2) (c).

(5) Under the circumstances described in sub. (4), the fee payable by the applicant shall be computed as prescribed in sub. (3) for an automobile not previously registered by the applicant in this state, provided that he or she first files with the department a statement of nonoperation if required to do so by sub. (7).

(6) If the automobile being registered under the circumstances described in sub. (3) or (4) is a replacement for a registered vehicle which has been junked, the applicant is entitled to a credit to be computed and applied in accordance with s. 341.31 (2) (b).

(7) For the purpose of computing the registration fee payable upon registration of an automobile under circumstances described in subs. (2) to (4), the beginning of the current registration period shall be determined as follows:

(a) If the first operation of an automobile under circumstances making the owner liable for its registration in this state occurs on or before the 15th day of a given month, the registration period commences on the first day of such month. If the first operation occurs on or after the 16th day of a given month, the registration period commences on the first day of the following month. "First operation" means operation of an automobile for the first time after it was transferred to the applicant or after it was registered in another state or after an active service refund or after the expiration of 12 months of nonoperation since expiration of the last registration in this state or after it was no longer used on the highways.

(b) In the case of an automobile which has not previously been registered or which has not been registered in this state by the present owner since the owner last acquired ownership of the automobile, the department shall assume that the date of first operation within the meaning of par. (a) is the date of the bill of sale evidencing the transfer of ownership to the applicant unless the applicant files with the department a statement that the automobile was not so operated until a later date, specifying the date of such first operation. In the case of at least 12 months of nonoperation of an automobile previously registered by the applicant, the applicant must file with the department a statement that he or she did not operate or consent to the operation of the automobile under circumstances making it subject to registration in this state during such 12-month period and must specify the date following such period when the automobile was first so operated. The department may refuse to accept a statement which projects the date of first operation into the future.

**History:** 1971 c. 164 s. 83; 1975 c. 33, 199; 1977 c. 29 s. 1654 (7) (a); 1977 c. 273; 1983 a. 227, 270; 1989 a. 137; 1991 a. 316.

**341.29 Registration for vehicles other than private automobiles and taxicabs.** (1) The registration period for all vehicles registered on an annual basis, other than private automobiles, taxicabs, those eligible for quarterly registration under s. 341.30 and driver education vehicles, shall be determined by the secretary. The secretary may require that any of the vehicles subject to this section be registered according to the monthly series system under s. 341.295.

(2) If an application for registration of a vehicle subject to registration on an annual or biennial basis is received less than 2 months prior to the beginning of any registration period and the vehicle is not registered in this state at the time of application and the applicant desires to register for the succeeding registration period as well as for the remainder of the current period, the department upon registering the vehicle shall issue registration plates designed for the succeeding registration period rather than for the current period. Such plates also serve during the remainder of the current registration period as lawful evidence of the registration of the vehicle. This subsection does not affect computation of fee payable by the applicant.

**History:** 1973 c. 200, 333; 1977 c. 29 ss. 1440, 1654 (7) (a), (c); 1981 c. 20; 1989 a. 31.

**341.295 Special registration period for vehicles other than private automobiles and taxicabs.** (1) The secretary may require that any vehicle subject to s. 341.29 be registered according to the monthly series system of registration prescribed by this section.

(2) There are established 12 registration periods, each to be designated by a calendar month and to start on the first day of such month and end on the last day of the 12th month from the date of commencing. The department shall so administer the monthly series system of registration as to distribute the work of registration throughout the calendar year.

(3) All vehicles subject to registration under the monthly series system under this section shall be registered by the department for a period of 12 consecutive calendar months except as follows:

(a) If the applicant holds registration plates which were removed from a vehicle under s. 341.31 (4) (c), 342.15 (4) (a) or 342.34 (1) (c) or (2) (c), and the plates were issued under the monthly series system, the department shall register a replacement vehicle of the same type and gross weight which is the subject of the application for the remainder of the unexpired registration period.

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(b) If the applicant does not hold current registration plates under the circumstances described in par. (a) and the application is an original rather than renewal application, the department may register the vehicle which is the subject of the application for such period or part of a period as the secretary determines will help to equalize the registration and renewal workload of the department.

(4) Section 341.31 applies to any vehicles registered according to the monthly series system under this section.

(5) When it initially implements the monthly series registration system under this section, the department may provide for renewal registration periods of not less than 6 months nor more than 18 months. The fees under this subsection shall be assessed according to the length of the registration periods.

**History:** 1981 c. 20; 1983 a. 126, 227, 270, 538; 1987 a. 349

**341.297 Biennial registration.** The following vehicles shall be registered on a biennial basis:

(1) A motorcycle or moped, as specified in s. 341.25 (1) (b). The registration period for a motorcycle or moped begins on May 1 of an even-numbered year and ends on April 30 of the next even-numbered year.

(2) A farm truck having a gross weight of 12,000 pounds or less, as specified in s. 341.26 (3) (a) 1. The registration period for such a farm truck begins on March 1 of an even-numbered year and ends on the last day of February of the next even-numbered year.

**History:** 1989 a. 31

**341.30 Quarterly registration.** (1) Any of the following vehicles may be registered on a quarterly basis in lieu of the annual registration specified in s. 341.29.

(a) A motor bus having a registered gross weight of more than 8,000 pounds, except motor buses registered under s. 341.26 (2) (d) and (h);

(c) A motor truck, road tractor or trailer having a registered gross weight of more than 8,000 pounds;

(d) A truck tractor, when the aggregate combined registered gross weight of the truck tractor and any semitrailer operated in conjunction with it is more than 8,000 pounds;

(e) Any of the vehicles subject to registration under s. 341.26 (3) (c), (d) or (e) having a registered gross weight of more than 8,000 pounds.

(f) A motor home having a registered gross weight of more than 8,000 pounds and registered under s. 341.25 (1) (j).

(2) For the purpose of quarterly registration of vehicles, the quarters are January 1, April 1, July 1, and October 1. A registration made on a quarterly basis expires on the last day of the quarter for which the vehicle is registered.

(3) The quarterly registration fee is 25% of the annual fee. The department shall register a vehicle subject to quarterly registration for as many quarters less than a full year as the applicant desires. The fee payable shall be the quarterly registration fee times the number of quarters for which registration is desired plus \$5 for each application submitted. If satisfactory evidence is provided that a vehicle was not operated on the highways during any quarter it shall be exempt from the payment of fees for the quarter in which it was not used.

**History:** 1977 c. 29 ss 1441, 1654 (7) (a); 1977 c. 418; 1981 c. 20; 1983 a. 123

**341.305 Consecutive monthly registration.** (1) In this section, "consecutive monthly registration" means registration for a minimum of 3 consecutive months.

(2) Any of the following vehicles may be registered on a consecutive monthly registration basis in lieu of the annual registration specified in s. 341.29:

(a) A motor truck or a trailer or a truck tractor used exclusively to transport concrete pipe or block and related materials, recycled metal salvage materials, logs or pulpwood, dirt, fill or aggregates, or fresh milk, or to transport perishable fresh fruits or vegetables for canning, freezing, dehydrating or storage prior to processing, including return of waste, or to transport petroleum products.

(b) A motor truck or a trailer or a truck tractor equipped with a dump, box or other container used exclusively to transport gravel, concrete or cement and bituminous road construction materials or agricultural lime, feed, grain or fertilizer, or equipped with a mechanical mixer used exclusively to mix and deliver concrete.

(bm) A motor truck or truck tractor which is owned or leased by a retail lumberyard and used exclusively to transport building construction materials from that lumberyard to a building construction site.

(c) Any motor vehicle used exclusively for towing operations of stalled or disabled vehicles.

(3) The monthly registration fee is one-twelfth of the annual fee. A consecutive monthly registration period begins on the first day of the first month of the period. The department shall register a vehicle under this section for as many additional consecutive months as the applicant desires, and the fee payable shall be the monthly registration fee times the number of months for which registration is desired plus \$15 for each application submitted. If satisfactory evidence is provided that a vehicle was not operated on the highways during any month for which registration is not requested, it shall be exempt from the payment of fees for the month in which it was not used.

(4) One additional month may be added once per calendar year to the registration period of a vehicle registered under this section upon payment of the fee in sub. (3) as provided in ss. 341.185 and 341.19.

(5) Registration under this section precludes registration under s. 341.30 if the consecutive monthly registration period begins during the current annual registration period.

**History:** 1983 a. 469; 1985 a. 202; 1987 a. 123, 207

**341.308 Optional trailer fleet registration.** (1) The owner of a fleet of 100 or more trailers, each having a gross weight or 4,500 pounds or less and used for hire or rental, may register the trailers for a 6-year period under this section.

(2) The registration of trailers under this section shall be valid for a 6-year period and shall expire on June 30. Upon receipt of an application and the initial registration fees under sub. (3), the department shall issue a registration plate for each trailer. The registration of trailers added to the fleet during the 6-year registration period shall expire on the expiration date of the original fleet registration. If trailers are removed from the fleet during the 6-year registration period, the fleet owner shall dispose of the plates in the manner prescribed by the department.

(3) The fleet owner shall pay an initial annual registration fee of \$15 for each trailer registered under this section and an additional annual fee of \$15 for each trailer each subsequent year of the 6-year registration period. If the annual registration fee for a trailer is not paid when due, the department shall suspend the registration as provided in s. 341.63.

**History:** 1987 a. 212

**341.31 When part-period fees payable for vehicles other than automobiles; computation of part-period fees.** (1) The annual registration fee shall be paid in full on all vehicles registered pursuant to s. 341.29 or 341.295, the biennial registration fee shall be paid in full on all vehicles registered pursuant to s. 341.297 and the quarterly registration fee shall

be paid in full on all vehicles registered pursuant to s. 341.30 unless the vehicle comes within one of the following categories, in which event the applicant is liable for the payment of only a part-period fee to be computed in accordance with sub. (2):

(a) The vehicle has not previously been registered in this state; or

(b) The vehicle previously was registered in this state but:

1. The vehicle in the meantime has been registered in another jurisdiction and such foreign registration was in effect during or subsequent to the expiration of the previous registration in this state; or

2. The vehicle was transferred to the applicant after the expiration of the last registration in this state; or

3. At least 12 months have elapsed since the end of the period for which the vehicle previously was registered and the applicant files with the department a statement that the applicant did not, during such 12-month period, operate or consent to the operation of the vehicle under circumstances making the vehicle subject to registration in this state; or

5. The vehicle is a motorcycle which has been transferred to the applicant and for which current registration plates had been issued to the previous owner; or

6. The vehicle which has been transferred to the applicant is a motor home or a motor truck, dual purpose motor home or dual purpose farm truck which had been registered by the previous owner at a gross weight of 8,000 pounds or less or is a farm truck which had been registered by the previous owner at a gross weight of 12,000 pounds or less; or

7. The vehicle is subject to the provisions of sub. (6); or

(c) The vehicle is a replacement for a registered vehicle which has been junked or is no longer used on the highway; or

(cm) The vehicle is a replacement for a registered vehicle eligible for quarterly registration under s. 341.30 which has been traded, sold or removed from this state but for which the annual registration fee has been paid; or

(d) The vehicle is owned by a person who has been in active military service and less than 12 months of nonoperation have elapsed since the end of the period for which the vehicle was previously registered, provided the applicant files with the department a statement of such nonoperation.

(2) Part-period registration fees shall be computed as follows:

(a) For vehicles registered under the conditions in sub. (1) (a), (b) or (d), the fee for the current registration period shall be computed on the basis of one-twelfth of the annual registration fee or one twenty-fourth of the biennial registration fee prescribed for the vehicle multiplied by the number of months of the current registration period which have not fully expired on the date the vehicle first is operated by or with the consent of the applicant under circumstances making it subject to registration in this state plus, in case of a quarterly registration, \$5. In the case of a vehicle which has not previously been registered or which has not been registered in this state by the present owner since the owner last acquired ownership of the vehicle, the department shall assume that the date of first operation is the date of the bill of sale evidencing transfer of ownership to the applicant unless he or she files with the department a statement that the vehicle was not so operated until a later date, specifying the date of such first operation. The department may refuse to accept any statement which projects the date of first operation into the future.

(b) For the registration of a replacement vehicle under the conditions set forth in sub. (1) (c) or (cm), the fee shall be computed as for a vehicle not previously registered in this state but a credit shall be allowed for the unused portion of

the fee paid for the vehicle being replaced. Such credit shall be computed on the basis of one-twelfth of the annual registration fee or one twenty-fourth of the biennial registration fee prescribed for the vehicle being replaced multiplied by the number of months of registration which have not fully expired at the time the vehicle being replaced was junked, traded, sold or removed from the state. Except for a vehicle registered on a biennial basis, it is not necessary that the replacement vehicle be of the same type as the one being replaced in order for the applicant to take advantage of the credit but the credit may be applied toward registration of the replacement vehicle only up to the date when the registration of the vehicle being replaced would have expired.

(4) (a) The transferee of a vehicle registered as provided in s. 341.29, 341.295 or 341.30 is not subject to the payment of any registration fee for the remainder of the period for which the vehicle is registered unless, by reason of his or her status or the use to which the vehicle is put, the fee prescribed by law is higher than that paid by the former owner. In such event, the fee shall be computed on the basis of one-twelfth of the difference between the 2 annual fees multiplied by the number of months of the current registration period which have not fully expired on the date, after the vehicle is acquired by the applicant, when such vehicle is first operated by him or her or with his or her consent under circumstances making it subject to registration in this state.

(b) A person retaining a set of plates removed from a vehicle under s. 342.15 (4) (a) or 342.34 (1) (c) or (2) (c) and which was junked or transferred, is no longer used on the highways or has been registered as a special interest vehicle under s. 341.266 (2) (a) may receive credit for the unused portion of the registration fee paid when registering a replacement vehicle of the same type and gross weight.

(c) A person retaining a set of plates removed from a motorcycle may receive credit for the unused portion of the registration fee paid when registering a replacement motorcycle.

(5) This section does not apply to vehicles registered at a fee of \$5 under s. 341.26. Such vehicles, whether registered for a full period or part thereof and whether or not previously registered, shall be registered at the full fee. If a person authorized to register a vehicle at a fee of \$5 under s. 341.26 transfers the vehicle to a person not so authorized, the fee payable by the transferee shall be computed as for a vehicle not previously registered in this state.

(6) The credit or plate transfer provisions authorized under this section do not apply if the applicant has, within the preceding 12 months, transferred or received credit for registration plates removed from the motor vehicle which is the subject of the application.

**History:** 1975 c. 32 s. 5; 1975 c. 297; 1977 c. 29 s. 1654 (7) (a); 1977 c. 129, 273, 418; 1983 a. 27, 126, 227, 270, 538; 1987 a. 216, 349; 1989 a. 31, 137.

#### **341.32 Vehicle to be reregistered if subject to a different fee.**

(1) Whenever the construction or the use of a registered vehicle is changed in a manner making the vehicle subject to a different registration fee than the fee for which the vehicle currently is registered, the owner shall immediately make application for reregistration. The fee payable upon such reregistration shall be computed as for a vehicle not previously registered in this state but a credit shall be allowed for the unused portion of the fee paid for the previous registration if the registration plates issued upon the previous registration are returned to the department. The credit shall be computed on the basis of one-twelfth of the annual registration fee or one twenty-fourth of the biennial registration fee prescribed for the vehicle as previously registered multiplied by the number of months of registration which have not fully

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expired on the date the vehicle became subject to the different fee. The credit may be applied toward the reregistration of the vehicle only up to the date when the previous registration would have expired.

(2) Whenever the owner or other person responsible for registration of a vehicle required to be registered on the basis of gross weight desires to carry a greater load than that permitted under the current registration of such vehicle, he or she shall make application for reregistration of the vehicle at a higher gross weight. Whenever such person is convicted of carrying a greater load than that permitted under his or her current registration, the court, in addition to imposing the penalty prescribed by law, shall order such person to make application for reregistration of the vehicle at a gross weight sufficiently high to cover the load which he or she was convicted of carrying. The fee payable upon reregistration shall be computed on the basis of one-twelfth of the difference between the annual fee prescribed for the vehicle as previously registered and the annual fee prescribed for the vehicle as reregistered or one twenty-fourth of the difference between the biennial fee prescribed for the vehicle as previously registered and the biennial fee prescribed for the vehicle as reregistered, multiplied by the number of months of the quarter or year for which the vehicle is being reregistered which had not fully expired when the vehicle became subject to the higher fee. This subsection does not apply under the circumstances stated in sub. (3).

(3) A motor truck with a registered gross weight of 10,000 pounds or less and loaded exclusively with fluid milk or cream may, during the months of May, June and July, carry from the point of production of such milk to the primary market therefor 1,500 pounds or less in excess of the gross weight for which such motor truck is registered without a reregistration of such motor truck on account of such excess loading.

History: 1977 c. 29 ss. 1443, 1654 (7) (a); 1989 a. 31

**341.33 When fees refundable.** (1) The department shall not refund a fee paid to it except when expressly authorized or directed by this section or some other provision of the statutes to do so.

(2) The department shall refund the unused portion of a registration fee paid for the registration of a vehicle owned by a person who is entering active service in the naval or military forces of the United States if the person makes application for such refund upon a form prescribed by the department, furnishes such proof as the department may require that the vehicle will not be operated in this or another state during the remainder of the period for which the vehicle is registered, and returns to the department the certificate of registration and registration plates. The refund shall be computed on the basis of one-twelfth of the annual registration fee or one twenty-fourth of the biennial registration fee paid for the vehicle, multiplied by the number of full months remaining in the period for which the vehicle is registered when the vehicle ceases to be operated.

(3) Upon request, the department shall refund 50% of a registration fee paid for a vehicle registered on a biennial basis if the person who registered the vehicle furnishes such proof as the department requires that the person has transferred his or her interest in the vehicle before the beginning of the 2nd year of the period for which the vehicle is registered or that the vehicle will not be operated in this state after the beginning of the 2nd year of the period for which the vehicle is registered. The department may require the person to return the certificate of registration and registration plates for the vehicle to the department. Except as provided in sub. (1), the

department may not refund more than 50% of the fee paid for the registration of a vehicle registered on a biennial basis.

History: 1975 c. 32, 199; 1977 c. 29 ss. 1444, 1654 (7) (a), (e); 1989 a. 31.

**341.335 Notice of change of address or name.** (1) Whenever any person, after applying for and receiving registration plates, moves from the address named in the application for the registration plates or when the name of the licensee is changed by marriage or otherwise, the person shall within 10 days notify the department in writing of the old and new address or of such former and new names and of all registration plate numbers held.

(2) Any person who fails to comply with any of the requirements of sub. (1) may be required to forfeit not more than \$50.

History: 1973 c. 129; 1977 c. 29 s. 1654 (7) (a); 1977 c. 273; 1985 a. 332 s. 251 (4).

**341.35 Municipal or county vehicle registration fee.** (1) ANNUAL REGISTRATION FEE. In this section "municipality" means a town, village or city and "motor vehicle" means an automobile or station wagon or motor truck registered under s. 341.25 (1) (c) at a gross weight of not more than 8,000 pounds. The governing body of a municipality or county may enact an ordinance imposing an annual flat municipal or county registration fee on all motor vehicles registered in this state which are customarily kept in the municipality or county. A registration fee imposed under this section shall be in addition to state registration fees.

(2) EXEMPTIONS. The following vehicles are exempt from any municipal or county vehicle registration fee:

(a) All vehicles exempted by this chapter from payment of a state vehicle registration fee.

(b) All vehicles registered by the state under s. 341.26 for a fee of \$5.

(3m) COUNTY AND MUNICIPAL FEES. If a municipality and the county in which the municipality is located enact ordinances under this section, a motor vehicle customarily kept in the municipality shall be subject to a municipal registration fee and a county registration fee.

(4) NOTICE OF FEES. The governing body of a municipality or county which enacts a municipal or county vehicle registration fee shall notify the department that it has so elected and report the amount of such fee. The municipality or county shall report any change in such amount to the department. The notification shall be made at the time and in the form prescribed by the department.

(5) PAYMENT OF FEES. At the time a motor vehicle is first registered or at the time of registration renewal, the applicant shall pay to the department any fee imposed by a county or municipality under this section in addition to fees required under this chapter.

(6) DEPARTMENT TO REMIT FEES TO MUNICIPALITIES AND COUNTIES. Beginning July 1, 1984, and annually thereafter, the department shall remit those moneys collected under this section, less administrative costs under sub. (6m), to any municipality or county which has imposed a fee under this section. The department may by rule provide that the moneys be remitted at more frequent intervals if the department deems it advisable.

(6m) ADMINISTRATIVE COSTS. The department shall retain a portion of the moneys collected under this section equal to the actual administrative costs related to the collection of these fees. The department shall establish the method for computing the administrative costs by rule and review the methodology annually to ensure full reimbursement of its expenses.

(7) **REPLACEMENTS.** No municipal or county vehicle registration fee may be imposed on a motor vehicle which is a replacement for a motor vehicle for which a current municipal or county vehicle registration fee has been paid.

(8) **RULES.** The department shall adopt rules necessary to implement this section.

**History:** 1971 c. 125 s. 521; 1971 c. 164 s. 83; 1977 c. 29 ss. 1446, 1654 (7) (a); 1977 c. 273; 1979 c. 221; 1983 a. 27; 1987 a. 216.

**341.36 Fee to reinstate suspended or revoked registration.** (1) Except as provided in sub. (2), the department shall charge a fee of \$25 to reinstate a registration previously suspended or revoked under this chapter. The fee under this subsection is in addition to any other fee required to complete the registration of the vehicle.

(1m) Except as provided in sub. (2), the department shall charge a fee of \$50 to reinstate a registration previously suspended or revoked under ch. 344. The fee under this subsection is in addition to any other fee required to complete the registration of the vehicle.

(2) Subsections (1) and (1m) do not apply to the reinstatement of a registration suspended under s. 341.63 (1) (c), (d) or (e) or to the reinstatement of a registration suspended or revoked as a result of an error by the department.

(3) If the registrations of more than one vehicle owned by a person are suspended or revoked under ch. 344 as a result of the same occurrence, payment of one fee under sub. (1m) applies to the reinstatement of the registrations of all of those vehicles.

**History:** 1989 a. 31; 1991 a. 269.

### SUBCHAPTER III

## REGISTRATION, TAXATION AND EXEMPTION OF NONRESIDENTS

**341.40 Exemption of nonresidents and foreign-registered vehicles.** (1) Except as to foreign-owned vehicles required by s. 341.07 to be registered in this state, any vehicle which is registered in another jurisdiction is exempt from the laws of this state providing for the registration of such vehicles if:

(a) The vehicle carries a registration plate indicating the registration in such other jurisdiction; and

(b) The vehicle is owned by a nonresident; and

(c) The jurisdiction in which the vehicle is registered allows such vehicles when registered in Wisconsin to be operated tax free upon its highways under conditions substantially as favorable to residents of Wisconsin as to its own residents.

(d) The vehicle is operated in accordance with rules adopted by the secretary based on the gross weight of the vehicle. The secretary may, by rule, determine the gross weight exemption giving consideration to reciprocity privileges extended to Wisconsin residents in other jurisdictions. Foreign owned or operated vehicles entering Wisconsin to have special equipment or a body constructed or installed or for repair shall be exempt from the registration requirements of this section.

(2) If the owner of any such vehicle moves to Wisconsin or if the vehicle is purchased by a Wisconsin resident, the vehicle immediately becomes subject to the laws of this state providing for the registration of vehicles.

**History:** 1977 c. 29 s. 1654 (7) (c); 1987 a. 369.

**341.405 International registration plan.** (1) The secretary of transportation, with approval of the governor, shall ratify and do all things necessary to effectuate the international registration plan adopted by the American association of motor vehicle administrators, with such exceptions as are deemed advisable and such changes as are necessary.

(2) In addition to any registration fees under s. 341.25 that are apportioned to this state under the international registration plan, the department shall charge a fee to cover the cost of issuance for each base plate and for each cab card issued under the international registration plan. Registrants for which this state is the base jurisdiction may elect to pay the registration fee apportioned to this state in 4 instalments as specified by the department. Registrants shall pay an additional annual fee of not less than \$10 for each vehicle under the instalment option. The department may require the filing of an adequate bond or letter of credit to secure the payment of fees under the instalment plan. Trip permits may be issued for 72-hour periods at a fee of not less than \$15, under terms and conditions not inconsistent with the international registration plan.

(3) Any fee of \$2 or less due under this section may be waived by the department.

(4) The secretary of transportation, with the approval of the governor and the joint committee on finance, may withdraw from the international registration plan adopted by the American association of motor vehicle administrators if the secretary deems such action necessary and desirable.

**History:** 1977 c. 29; 1979 c. 221; 1981 c. 42; 1983 a. 27; 1987 a. 369; 1989 a. 31

See note to 194.04, citing *State v. Yellow Freight System, Inc.* 101 W (2d) 142, 303 NW (2d) 834 (1981)

Registration under IRP is in lieu of registration under Wisconsin law. *Schneider Transport, Inc. v. Cattanaach*, 657 F (2d) 128 (1981)

**341.409 Reciprocal registration exemption agreements for federally recognized Indian tribes or bands.** (1) The secretary with the approval of the joint committee on finance may enter into a reciprocal registration exemption agreement with the governing body of any federally recognized Indian tribe or band. The reciprocal agreement may exempt designated classes of vehicles registered by the Indian tribe or band from the registration requirements of this state if:

(a) The vehicle carries a registration plate showing valid registration by the Indian tribe or band.

(b) The Indian tribe or band registering the vehicle allows reciprocal privileges to similar classes of vehicles registered in this state under conditions substantially as favorable to this state as to the Indian tribe or band.

(2) The reciprocal agreement may include restrictions, conditions and terms of reciprocal privileges relating to registration, including any proportional registration taxes or fees deemed advisable by the department.

(3) The department may adopt rules to implement this section.

**History:** 1983 a. 50.

**341.41 Reciprocity agreements authorized.** (1) The secretary with the approval of the governor is authorized to enter into reciprocal agreements with the responsible officers of other jurisdictions as to licenses, mileage and flat taxes under which motor vehicles, trailers, or semitrailers properly licensed or registered in other jurisdictions may be operated in interstate commerce in this state without a Wisconsin registration or the payment of mileage or flat taxes, provided like privileges are accorded to vehicles owned by Wisconsin residents when operated in such other jurisdictions. Such agreement may include such restrictions, conditions and privileges, including any proportional registration, taxes or fees, as are deemed advisable. Such agreement shall provide that a resident of this state when using the highways of such other jurisdiction shall receive exemptions of a similar kind to a like degree.

(1a) The secretary with the approval of the governor is authorized to enter into reciprocal agreements with the

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responsible officers of other jurisdictions as to licenses, mileage and flat taxes under which motor vehicles, trailers or semitrailers properly licensed or registered in either jurisdiction, may be operated in intrastate commerce in either jurisdiction without additional base plate registration or the payment of mileage or flat taxes, providing like privileges are accorded Wisconsin licensed vehicles when operated in such other jurisdictions, and that this state will obtain a fair and equitable share of license registrations. Such agreement may include such restrictions, conditions and privileges, including any proportional registration, taxes or fees, as are deemed advisable.

**(1b)** Vehicles operated in intrastate commerce in this state are not exempt by virtue of any reciprocity agreement entered into pursuant to sub. (1a) unless:

(a) The vehicle has conspicuously displayed upon it a valid registration plate;

(b) The operator of the vehicle has in his or her possession a valid registration certificate or other evidence that the vehicle is properly registered; and

(c) The vehicle displays a Wisconsin tax permit, Wisconsin prorate plate or other form of Wisconsin authorization unless operated in accordance with rules adopted under s. 341.40 (1) (d).

**(2)** A nonresident operating a vehicle in this state is not exempt by virtue of any reciprocity agreement entered into pursuant to sub. (1) unless:

(a) The vehicle is properly registered in the jurisdiction of the residence of its owner, its domicile, or the principal place of business of its owner or is registered on a proportional registration basis pursuant to an interstate compact; and

(b) The vehicle has conspicuously displayed upon it a valid registration plate; and

(c) The operator of the vehicle has in his or her possession a valid registration certificate or other evidence that the vehicle is properly registered; and

**(3)** If the laws of another jurisdiction impose upon the vehicles of residents of this state any taxes, fees, charges, penalties, obligations, restrictions, prohibitions or limitations of any kind additional to those imposed by this state upon the vehicles of residents of such other jurisdiction the secretary with the approval of the governor is authorized to impose and collect fees or charges in like amount and to provide for similar obligations, prohibitions or limitations upon the owner or operator of a vehicle registered in such other jurisdiction so long as the laws of such other jurisdiction requiring such imposition remain in effect.

**(4)** Trailers and semitrailers may be operated in Wisconsin without the payment of fees or ton mile or flat taxes when such trailers or semitrailers are operated in exchange for trailers or semitrailers or are operated in accordance with rules adopted by the secretary respecting the interchange of equipment. When used in railroad trailer-on-flat-car service, foreign licensed trailers or semitrailers may be operated in commerce in Wisconsin without the payment of permit or registration fees.

**(5)** In this section, "proportional registration, taxes or fees" means the registration of a portion of the vehicles or the payment of a portion of the taxes or fees in Wisconsin and a portion in the reciprocating jurisdiction in a general ratio or proportion based on the total number of miles traveled by the owner or operator in the reciprocating jurisdictions.

**(6)** The secretary is also authorized to accept proportional registration of a fleet of 3 or more vehicles of any duly authorized common carrier of passengers as defined in s. 194.01 (1), operating such fleet in interstate commerce or jointly in interstate and intrastate commerce in this state, if

the secretary is satisfied prior to the approval of such proportional registration that this state will obtain a fair and equitable share of license registrations of the vehicles comprising such fleet. Such proportional registration shall be accomplished either by payment, to the department, of registration fees in an amount equal to that obtained by applying the proportion of in-state fleet miles divided by the total fleet miles to the total fees which would otherwise be required for the registration of each and all such vehicles in this state, or by registration of a portion of such vehicles as above determined.

**(7)** Except as to foreign owned vehicles required by s. 341.07 to be registered in this state, vehicles owned or operated by a nonresident in interstate or intrastate movement may be qualified by advance purchase of a trip permit which authorizes operation for a 72-hour period when the vehicle is not eligible for reciprocal privileges. Unless waived by the secretary, the fee for the trip permit shall be not less than \$15. The secretary may, upon determining that a special transportation need exists, waive the fee for the trip permit. The secretary shall make rules and regulations for the issuance and use of the permits.

**(8)** (a) Residents of the state operating a fleet of 3 or more units consisting of trucks, truck tractors or road tractors with a gross weight of not less than 12,000 pounds shall display Wisconsin registration plates for which 100% of the fee has been paid on vehicles not exempt from Wisconsin registration and operated in intrastate commerce. Vehicles engaged in interstate commerce may display Wisconsin prorate registration plates for which a proportional registration fee has been paid in addition to a full fee registration plate from another jurisdiction. Such proportional registration shall be accomplished either by payment to the department of registration fees in an amount equal to that obtained by applying the proportion of in-state fleet miles divided by the total fleet miles to the total fees which would otherwise be required for the registration of all such vehicles in this state, or by registration of a portion of such vehicles as determined under this subsection. The department may refuse to permit any or all of such vehicles to be registered under apportionment if the department is not satisfied that this state will obtain a fair and equitable share of license registrations of the vehicles comprising such fleet.

(b) This subsection applies only if the state is a party to the international registration plan under s. 341.405 (1).

**(9)** (a) Motor carriers engaged in interstate commerce or jointly in interstate and intrastate commerce and operating a fleet of one or more units consisting of trucks, truck tractors or road tractors with a gross weight of 26,000 pounds or more, or power units having 3 or more axles regardless of weight, or vehicle combinations when the weight of the combinations exceeds 26,000 pounds may file an application for a prorate registration plate under this subsection. Eligibility under this subsection is conditioned on the vehicle also displaying a registration plate from another jurisdiction. An application for a prorate registration plate under this subsection shall be accompanied by payment to the department of a fee in an amount equal to that obtained by applying the proportion of Wisconsin in-state fleet miles plus fleet miles operated in jurisdictions with which Wisconsin has a free reciprocity agreement on vehicle registration fees divided by the total fleet miles to the total fees which would otherwise be required for annual registration of the vehicles in Wisconsin. In addition to the prorate fee, the registrant shall pay a fee to cover the cost of issuance of each cab card and plate or decal issued under this subsection. The department may refuse to permit any or all of such vehicles to be registered under this



subsection if the department is not satisfied that the state will obtain a fair and equitable share of registration revenue from the vehicles comprising such fleet.

(b) This subsection does not apply if the state is a party to the international registration plan under s. 341.405 (1).

**History:** 1977 c. 29 ss. 1448, 1654 (7) (a), (c); 1977 c. 273, 418; 1979 c. 221; 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (29); 1983 a. 192; 1985 a. 332 s. 251 (4); 1987 a. 369; 1991 a. 316.

**341.43 Audits.** The department may conduct such audits as it deems necessary to determine the adequacy of fees paid under the international registration plan or other proportional registration law or agreement and taxes paid under s. 341.45. Audits shall be conducted during normal business hours. Credits shall be given for overpayments and deficiencies shall be assessed, with interest. Actual and necessary expenses incurred by an auditor, plus wages, may be assessed against the person audited.

**History:** 1977 c. 29; 1987 a. 27.

**341.45 Importation in vehicle tanks regulated; taxes. (1)** In this section:

(a) "Motor fuel" has the meaning given in s. 78.04.

(am) "Qualified motor vehicle" means a qualified motor vehicle as defined in the international fuel tax agreement or any of the following motor vehicles used, designed or maintained for the transportation of persons or property:

1. A motor vehicle having 2 axles and a gross vehicle weight exceeding 26,000 pounds.

2. A motor vehicle having 2 axles and registered at a gross vehicle weight exceeding 26,000 pounds.

3. A motor vehicle having 3 or more axles, regardless of weight.

4. A motor vehicle used in combination with another vehicle when the gross vehicle weight of the combination exceeds 26,000 pounds.

(b) "Special fuel" has the meaning given in s. 78.43.

(1g) (a) Every person who purchases or obtains motor fuel or special fuel outside of this state and operates any qualified motor vehicle into this state upon a highway and transports motor fuel or special fuel in an attached or unattached fuel supply tank for the sole purpose of operating the qualified motor vehicle shall pay the Wisconsin motor fuel or special fuel tax on the gallons consumed by the qualified motor vehicle while operated on the highways of this state. The person shall pay the tax by purchasing motor fuel or special fuel within this state in an amount that is equivalent to the gallonage consumed while operating the qualified motor vehicle on the highways of this state, or by remitting the tax directly to the department or to another jurisdiction that is a party to the international fuel tax agreement.

(b) The department may require any person required to pay under par. (a) to report on forms prescribed by it, to display evidence of compliance with par. (a) and to pay taxes in the manner specified by the department. The department shall require any person convicted of evading the tax due under par. (a) to report on forms and in the manner prescribed by the department.

(2) Every person regularly or habitually operating qualified motor vehicles upon the highways of any other state and using in those qualified motor vehicles motor fuel or special fuel purchased or obtained in this state shall be allowed a credit or refund equal to the tax on the motor fuel or special fuel actually paid to the state in which it is used, but not to exceed the tax imposed on motor fuel or special fuel by this state.

(3) The department may enter into reciprocal agreements with the appropriate officials of any other state under which it may waive all or any part of the requirements imposed by

this section upon those who use motor fuel or special fuel upon which the tax has been paid to another state if the officials of the other state grant equivalent privileges with respect to motor fuel or special fuel used in that state but upon which the tax has been paid to Wisconsin.

(4) The secretary may ratify and effectuate the international fuel tax agreement or other fuel tax agreement.

(5) The department shall promulgate rules under ch. 227 necessary to administer this section. The rules may include provisions relating to the payment of interest on late payments of motor fuel and special fuel taxes and fees for the late payment or underpayment of motor fuel and special fuel taxes.

(5g) The department may issue and require the display of a decal or other identification to indicate compliance with sub. (1g). The department may charge a fee to cover the cost of issuing the decal or other identification.

(5m) The department may suspend or refuse any registration, certificate or permit issued under the authority of the department of a person who fails to report under sub. (1g) (b) when required to do so or who fails to pay in full the taxes under sub. (1g) (a) as specified by the department. A registration, certificate or permit suspended or refused under this subsection shall remain suspended or refused until the reason for the suspension or refusal has been removed.

(6) (a) Any person who uses a false or fictitious name or gives a false or fictitious address in any application or form required by this section or otherwise commits a fraud in any application, record, report or claim for refund under this section may be fined not more than \$500 or imprisoned not more than 6 months or both.

(b) Any person who fails or refuses to make a report or payment as provided in this section may be fined not more than \$5,000 or imprisoned in the county jail for not more than one year or both.

(c) A person who fails to display the decal or other identification under sub. (5g) as prescribed by the department may be required to forfeit not more than \$500.

(d) Whenever a person is convicted of evading the tax required to be paid under sub. (1g), the clerk of the court shall, as provided in s. 345.48 for traffic violations, forward to the department the record of conviction and notice of any appeal.

**History:** 1981 c. 347; 1983 a. 27; 1987 a. 27 ss. 1610m to 1612m, 1986bk to 1986bp; Stats 1987 s. 341.45; 1987 a. 369; 1989 a. 31.

## SUBCHAPTER IV

### REGISTRATION OF DEALERS, DISTRIBUTORS, MANUFACTURERS, TRANSPORTERS, AND FINANCE COMPANIES

**341.47 When vehicles of dealers, distributors, manufacturers and transporters exempt from general registration requirements. (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

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(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.

(2) A tow truck, service truck or pickup truck owned by a dealer, distributor or manufacturer must be registered in the same manner as similar vehicles owned by other persons, except that a service or pickup truck actually for sale and only incidentally used for business purposes may be operated under the conditions specified in sub. (1).

(3) A vehicle which is being transported in tow on its own wheels or under its own power from the manufacturer to the distributor, dealer or branch of the manufacturer, or from the distributor or dealer to another distributor or dealer or to the manufacturer or branch of the manufacturer, or from the branch of the manufacturer to the distributor, dealer or manufacturer by a transporter of vehicles need not be registered if such vehicle has displayed upon it valid registration plates issued to the transporter pursuant to s. 341.51.

**341.51 When department to register dealer, distributor, manufacturer or transporter; application.** (1) The department shall register a person as a dealer, distributor or manufacturer of motor vehicles, trailers or semitrailers or as a transporter of vehicles upon receipt of a properly completed application form together with a fee of \$75 and upon being satisfied that the applicant is by law entitled to be registered. The department shall register a person as a dealer, distributor or manufacturer of mobile homes upon receipt of a properly completed application form together with a fee of \$75 and upon being satisfied that the applicant is by law entitled to be so registered. The department shall assign to each person registered under this section a distinctive registration number and shall issue a certificate of registration bearing the registration number assigned.

(2) Upon registering a dealer, distributor, manufacturer or transporter the department also shall issue 2 registration plates. The department, upon receiving a fee of \$5 for each additional plate desired by a dealer, distributor or manufacturer of motor vehicles, trailers or semitrailers, \$5 for each additional plate desired by a dealer, distributor or manufacturer of mobile homes and \$5 for each additional plate desired by a transporter, shall issue to the registered dealer, distributor, manufacturer or transporter the additional plates as ordered. The department may charge a fee of \$2 per plate for replacing lost, damaged or illegible plates issued under this subsection.

(2m) A motor vehicle dealer, distributor or manufacturer, in case of trucks and truck tractors over 8,000 pounds, may purchase a license for demonstration purposes under s. 341.25 to determine the gross weight. Such license shall be a transferable license for demonstration purposes and shall be 20% of the registration fee set forth in s. 341.25. In case of trailers and semitrailer demonstrations, the license fee shall be \$10 and shall belong to the demonstrator. Such demonstration vehicles shall carry insurance on behalf of the dealer, distributor or manufacturer and the prospective purchaser as provided in s. 194.41. Such vehicle need not obtain for-hire permits as provided in ch. 194. Such vehicle shall not be used by the prospective purchaser for more than 10 days. When the vehicle is obtained from a dealer the prospective purchaser shall sign a receipt showing the date, time and place the vehicle was obtained from the dealer. The dealer shall retain the original of such receipt for demonstration records and shall furnish a copy and the demonstration plate certificate to the prospective purchaser. The prospective purchaser shall carry such receipt and certificate in the vehicle during opera-

tion on the highways, and the dealer shall keep a record of such demonstrations and such record shall be open to inspection by the department. A dealer, distributor or manufacturer may operate on the highways under such a demonstration license a truck, trailer or semitrailer on which is loaded a machine or special equipment if the entire unit is owned and offered for sale and if the operation on the highways involves delivery of the vehicle to or from a prospective purchaser. The department may issue any further rules to accomplish the intent of this subsection.

(3) When a dealer, distributor, manufacturer or transporter has an established place of business in more than one Wisconsin municipality, he or she shall make separate applications for each such municipality. The department shall assign a different registration number, issue a separate certificate of registration and charge a separate registration fee for each such municipality.

(4) Except as provided in sub. (6), every dealer, distributor and manufacturer shall file with the department and every transporter may file with the department a duly acknowledged application for registration which shall contain:

(a) The name under which the applicant is transacting business within the state.

(b) If the applicant is a partnership, the names and addresses of the several persons constituting the partnership.

(c) If the applicant is a corporation, the corporate name under which it is authorized to transact business and the names and addresses of its principal officers, resident general agent and attorney in fact.

(d) The place or places of business of the applicant which, in the case of a dealer, distributor or manufacturer, must be an established place of business.

(e) If the applicant is a dealer, distributor or manufacturer, whether engaged in wholesale or retail selling or both.

(5) Except as provided in sub. (6), any dealer, distributor or manufacturer engaged in business in this state who fails to apply for registration or fails to apply for separate registrations for each Wisconsin municipality in which the dealer, distributor or manufacturer has an established place of business may be required to forfeit not more than \$200.

(6) A person licensed under s. 218.01 or 218.41 as a dealer, distributor or manufacturer of only mopeds may, but need not, apply for registration under this section.

*History:* 1971 c. 319; 1973 c. 218; 1975 c. 39, 199; 1977 c. 29 ss. 1450, 1654 (7) (a); 1977 c. 288; 1979 c. 32; 1983 a. 243; 1985 a. 29, 202.

**341.52 Design of registration plates.** Registration plates for dealers, distributors, manufacturers and transporters are subject to the provisions of s. 341.12 (2) and (3). In addition, each plate shall have displayed upon it a symbol capable of distinguishing it from any other plate which may be issued to the same dealer, distributor, manufacturer or transporter.

*History:* 1989 a. 31.

**341.53 Expiration of registration; transferability of plates.** Certificates of registration and registration plates issued to dealers, distributors, manufacturers or transporters shall be issued for the calendar year and are valid only during the calendar year for which issued. Registration plates are transferable from one motor vehicle, trailer or semitrailer to another motor vehicle, trailer or semitrailer and from one mobile home to another.

**341.55 Penalty for misuse of plates.** Any of the following may be required to forfeit not more than \$200:

(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

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## PENALTY FOR FRAUDULENT PRACTICES

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) or is not in compliance with s. 341.51 (2m);

(2) Any person who operates a vehicle under purported authority of a registration plate issued to a dealer, distributor or manufacturer pursuant 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) or is not in compliance with s. 341.51 (2m);

(3) Any transporter who operates a vehicle under purported authority of a registration plate issued to the transporter pursuant to s. 341.51 for any purpose other than that authorized by s. 341.47 (3);

(4) Any person not registered as a transporter who operates a vehicle under purported authority of a registration plate issued pursuant to s. 341.51 to a transporter.

History: 1971 c. 278, 319; 1991 a. 316.

**341.57 Registration of finance companies and financial institutions.** (1) Any motor vehicle owned or being repossessed by a finance company licensed under s. 138.09 or 218.01, by a credit union licensed under ch. 186, by a savings bank organized under ch. 214, by a savings and loan association organized under ch. 215 or by a state bank or a national bank with offices in this state, 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. 138.09 or 218.01, a credit union licensed under ch. 186, a savings bank organized under ch. 214, a savings and loan association organized under ch. 215 or a state bank or a national bank with offices in this state may apply to the department for registration on such form as the department provides. Upon receipt of the application together with a registration fee of \$75, 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 \$5 for each additional plate desired by the applicant, shall issue 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. A plate is transferable from one motor vehicle to another. The department may charge a fee of \$2 per plate for replacing lost, damaged or illegible plates issued under this subsection.

(3) Any of the following may be required to forfeit not more than \$200:

(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.

History: 1971 c. 278; 1973 c. 246; 1977 c. 29 s. 1654 (7) (a); 1979 c. 221; 1983 a. 156; 1985 a. 29; 1991 a. 221.

**341.60 Fraudulent application for registration or license.**

Any person who gives a false or fictitious name, address or location where a vehicle is customarily kept in an application for license or registration or who makes application for license or registration in the name of a person other than the true owner, or true owner and lessee, may be fined not more than \$200 or imprisoned not more than 6 months or both.

History: 1983 a. 180.

**341.61 Improper use of evidence of registration.** Any person who does any of the following may be required to forfeit not more than \$200:

(1) Lends to another a registration plate, knowing that the person borrowing the plate is not authorized by law to use it; or

(2) Displays upon a vehicle a registration plate not issued for such vehicle or not otherwise authorized by law to be used thereon.

(3) Wilfully twists, paints, alters or adds to or cuts off any portion of a registration plate or sticker; or who places or deposits, or causes to be placed or deposited on such plate or sticker any substance to hinder the normal reading of such plate; or who defaces, disfigures, changes or attempts to change any letter or figure thereon.

History: 1973 c. 218.

**341.62 False evidence of registration.** Whoever operates or possesses a motor vehicle, mobile home, trailer or semi-trailer having attached thereto any plate or similar device fashioned in imitation of or altered so as to resemble the current registration plate issued by the department may be required to forfeit not more than \$200.

History: 1973 c. 218; 1977 c. 29 s. 1654 (7) (a); 1977 c. 273.

**341.63 When registration to be suspended.** (1) The department shall suspend the registration of a vehicle when:

(a) The registration was completed through fraud or error and the person who registered the vehicle does not or cannot register the vehicle properly.

(b) The required fee has not been paid and the same is not paid upon reasonable notice and demand.

(c) Suspension of registration is specified by an authority under s. 345.28 (4) (a) 2.

(d) The applicant fails, upon reasonable notice and demand, to furnish proof of payment, in the form prescribed by the U.S. secretary of the treasury, that the federal heavy vehicle use tax imposed by section 4481 of the internal revenue code has been paid.

(e) The licensee of a vehicle registered under s. 341.26 (2m) (a) has not complied with the test or inspection requirements of s. 110.20 (6).

(2) Any registration suspended pursuant to this section continues to be suspended until reinstated by the department. The department shall reinstate the registration when the reason for the suspension has been removed.

(3) Whenever the registration of a vehicle is suspended under this section, the department may order the owner or person in possession of the registration plates to return them to the department. Any person who fails to return the plates when ordered to do so by the department may be required to forfeit not more than \$200.

History: 1971 c. 278; 1977 c. 29 ss. 1451, 1654 (7) (a), (e); 1981 c. 165; 1983 a. 78, 180, 330, 538; 1985 a. 29; 1987 a. 27, 369; 1991 a. 39.

**341.64 Transfer of vehicle ownership while registration is suspended.** (1) No owner may transfer the ownership or

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registration of any vehicle whose registration is suspended under s. 341.63 (1) (c) until the registration is reinstated under s. 341.63 (2) or until the secretary is satisfied that such transfer is proposed in good faith and not for the purpose or with the effect of defeating the purposes of s. 341.63 (1) (c).

(2) Any person violating this section may be required to forfeit not more than \$200.

(3) This section does not apply to or affect the registration of any vehicle sold by a person who, pursuant to the terms or conditions of any written instrument giving a right of repossession, has exercised such right and has repossessed such vehicle from a person whose registration has been suspended under s. 341.63 (1) (c).

History: 1981 c. 165.

**341.65 Unregistered motor vehicles prohibited; immobilization; removal; disposal. (1)** In this section:

(a) "Immobilization device" means a device or mechanism which immobilizes a motor vehicle by locking around a wheel, thereby making the motor vehicle inoperable.

(b) "Unregistered motor vehicle" means any motor vehicle that is not currently registered and which is located upon a highway for such time and under such circumstances as to cause the motor vehicle to reasonably appear to have been unregistered for not less than 30 days.

(2) (a) Any municipality or county may enact ordinances prohibiting any unregistered motor vehicle from being located upon a highway and governing the immobilization, removal and disposal of unregistered motor vehicles and provide a forfeiture in addition to providing for the recovery by the municipality or county of the cost of immobilizing the motor vehicle with an immobilization device or impounding and disposing of the motor vehicle or both. Any ordinance permitting immobilization of a motor vehicle may prohibit any person from removing, disconnecting, tampering with or otherwise circumventing the operation of an immobilization device except upon release of the motor vehicle to the owner or to make necessary repairs to a malfunctioning immobilization device.

(b) Any municipal or university police officer, sheriff's deputy, county traffic patrolman, state traffic officer or conservation warden who discovers any unregistered motor vehicle located upon any highway may cause the motor vehicle to be immobilized with an immobilization device or removed to a suitable place of impoundment. Upon immobilization or removal of the motor vehicle, the officer or warden shall notify the sheriff or chief of police of the location of the immobilized or impounded motor vehicle and the reason for the immobilization or impoundment.

(c) A person charged with violating an ordinance enacted under this subsection may not be convicted if he or she produces in court or in the office of the arresting officer satisfactory evidence that, at the time of issuance of the citation, either a complete application for registration for the motor vehicle, including evidence of inspection under s. 110.20 when required, accompanied by the required fee had been delivered to the department or deposited in the mail properly addressed with postage prepaid, or the motor vehicle was exempt from registration under this chapter.

(d) The owner of any unregistered motor vehicle is responsible for all costs of immobilizing, impounding and disposing of the motor vehicle. Costs not recovered from the sale of the motor vehicle may be recovered in a civil action by the municipality against the owner. Whether or not the municipality recovers the cost of towing and enforcement, the municipality shall be responsible to the towing service for

requisitional towing service and reasonable charges for impoundment.

(e) Notwithstanding par. (g), the owner of an unregistered motor vehicle that is immobilized with an immobilization device or impounded under this subsection may secure release of the motor vehicle by doing any of the following:

1. Paying any forfeiture imposed for violation of the municipal or county ordinance and the reasonable costs of immobilizing or impounding the motor vehicle or both, and providing satisfactory evidence of one of the following:

a. That the motor vehicle is currently registered in this state.

b. That a complete application for registration for the motor vehicle, including evidence of inspection under s. 110.20 when required, accompanied by the required fee has been delivered to the department or deposited in the mail properly addressed with postage prepaid.

c. That the motor vehicle is exempt from registration under this chapter.

2. Providing satisfactory evidence that, at the time of immobilization or impoundment of the motor vehicle, whichever is earlier, either a complete application for registration for the motor vehicle, including evidence of inspection under s. 110.20 when required, accompanied by the required fee had been delivered to the department or deposited in the mail properly addressed with postage prepaid, or the motor vehicle was exempt from registration under this chapter.

(f) Any motor vehicle in violation of this section may be immobilized with an immobilization device or impounded until lawfully claimed or disposed of under par. (g) except that if it is deemed by a duly authorized municipal or county representative that the cost of towing and storage charges for the impoundment would exceed the value of the vehicle, the motor vehicle may be junked or sold by the municipality or county prior to expiration of the impoundment period upon determination by the chief of police or sheriff having jurisdiction that the motor vehicle is not stolen or otherwise wanted for evidence or other reason. All substantially complete motor vehicles in excess of 19 model years of age shall be disposed of in accordance with par. (g).

(g) Any motor vehicle which is impounded and not disposed of under par. (f) shall be retained in storage for a minimum period of 10 days after certified mail notice has been sent to the owner and lienholders of record, if known or readily ascertainable, to permit reclamation of the motor vehicle after payment of accrued charges and, for reclamation of the motor vehicle by the owner, compliance with par. (e). Such notice shall set forth the year, make, model, and serial number of the motor vehicle and the place where the motor vehicle is being held, and shall inform the owner and any lienholders of their right to reclaim the motor vehicle. The notice shall state that the failure of the owner or lienholders to exercise their rights to reclaim the motor vehicle under this section shall be considered a waiver of all right, title and interest in the motor vehicle and a consent to the sale of the motor vehicle. Each retained motor vehicle not reclaimed by its owner or lienholder may be sold. The municipality or county may dispose of the motor vehicle by sealed bid or auction sale as provided by ordinance. At such sale the highest bid for any such motor vehicle shall be accepted unless the same is considered inadequate by a duly authorized municipal or county representative, in which event all bids may be rejected. If all bids are rejected or no bid is received, the municipality or county may either readvertise the sale, adjourn the sale to a definite date, sell the motor vehicle at a private sale or junk the motor vehicle. Any interested person may offer bids on each motor vehicle to be sold. If municipal

or county ordinances do not state the procedure to be followed in advertising or providing public notice of the sale, a public notice shall be posted at the office of the municipal police department or the office of the county sheriff. The posting of the notice at the police or sheriff's department shall be in the same form as the certified mail notice sent to the owner or lienholders of record. Upon sale of a motor vehicle, the municipality or county shall supply the purchaser with a completed form designed by the department enabling the purchaser to obtain a regular certificate of title for the motor vehicle. The purchaser shall have 10 days to remove the motor vehicle from the storage area, but shall pay a reasonable storage fee established by the municipality or county for each day that the motor vehicle remains in storage after the

2nd business day subsequent to the sale date. Ten days after the sale, the purchaser shall forfeit all interest in the motor vehicle and the motor vehicle shall be considered to be abandoned and may be sold again. Any listing of motor vehicles to be sold by any municipality or county shall be made available to any interested person or organization which makes a written request for such list. The municipality or county may charge a fee for the list.

(h) Within 5 days after the sale or disposal of a motor vehicle as provided in this subsection, the municipality or county shall advise the department of the sale or disposition on a form supplied by the department.

**History:** 1991 a. 233.