



2017 ASSEMBLY BILL 361

June 1, 2017 - Introduced by Representatives SCHRAA, JACQUE, R. BROOKS, DUCHOW, GANNON, MACCO, PETERSEN, SPIROS and THIESFELDT, cosponsored by Senator NASS. Referred to Committee on Ways and Means.

- 1 **AN ACT to amend** 341.35 (1); and **to create** 341.35 (1m) of the statutes; **relating**
2 **to:** requiring a local referendum to impose a wheel tax.

Analysis by the Legislative Reference Bureau

This bill provides that a county or municipal vehicle registration fee, commonly known as a wheel tax, may be imposed only if approved by a majority of electors voting in a referendum at a regularly scheduled election.

Under current law, 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. The fees collected are required to be used for transportation-related purposes only.

Under this bill, a municipality or county that proposes to impose a registration fee is required to hold a referendum at a regularly scheduled election. The registration fee may be imposed only if approved by a majority of the electors who vote in the referendum. Registration fees imposed prior to the effective date of this bill must be approved by a majority of electors voting in a referendum at a regularly scheduled election occurring not later than the first day of the 18th month beginning after the effective date of this bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

ASSEMBLY BILL 361**SECTION 1**

1 **SECTION 1.** 341.35 (1) of the statutes is amended to read:

2 341.35 (1) ANNUAL REGISTRATION FEE. In this section “municipality” means a
3 town, village, or city and “motor vehicle” means an automobile or motor truck
4 registered under s. 341.25 (1) (c) at a gross weight of not more than 8,000 pounds.
5 The Subject to sub. (1m), the governing body of a municipality or county may enact
6 an ordinance imposing an annual flat municipal or county registration fee on all
7 motor vehicles registered in this state which are customarily kept in the municipality
8 or county. A registration fee imposed under this section shall be in addition to state
9 registration fees.

10 **SECTION 2.** 341.35 (1m) of the statutes is created to read:

11 341.35 (1m) REFERENDUM REQUIRED. (a) A municipality or county that proposes
12 to impose a registration fee under sub. (1) shall hold a referendum at a regularly
13 scheduled election. The referendum question shall be substantially as follows:
14 “Shall [name of municipality or county] impose an annual registration fee of [amount
15 of registration fee] on all motor vehicles registered in this state that are customarily
16 kept in [name of municipality or county]?” If the question submitted at the
17 referendum is approved by a majority of the electors who vote in the referendum, the
18 municipality or county may impose the registration fee. If the referendum question
19 is not approved, the municipality or county may not impose any registration fee.

20 (b) A municipality or county that imposes a registration fee prior to the effective
21 date of this paragraph ... [LRB inserts date], shall hold a referendum at a regularly
22 scheduled election occurring not later than the first day of the 18th month beginning
23 after the effective date of this paragraph ... [LRB inserts date]. The referendum
24 question shall be substantially as follows: “Shall [name of municipality or county]
25 continue to impose an annual registration fee of [amount of registration fee] on all

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1 motor vehicles registered in this state that are customarily kept in [name of
2 municipality or county]?” If the question submitted at the referendum is approved
3 by a majority of the electors who vote in the referendum, the municipality or county
4 may continue imposing the registration fee. If the referendum question is not
5 approved, the municipality or county may not impose any registration fee.

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(END)