



2013 ASSEMBLY BILL 426

October 17, 2013 – Introduced by Representatives BEWLEY, KAHL, SPIROS, OHNSTAD, RINGHAND, POPE and WRIGHT, cosponsored by Senators JAUCH, L. TAYLOR and HANSEN. Referred to Committee on Transportation.

1 **AN ACT** *to renumber and amend* 341.14 (6r) (b) 1m.; *to amend* 341.14 (6r) (b)
2 1., 341.14 (6r) (c) and 341.14 (6r) (fm) 7.; and *to create* 20.395 (5) (ei), 25.40 (1)
3 (a) 32., 341.14 (6r) (b) 1m. b., 341.14 (6r) (b) 15., 341.14 (6r) (f) 63. and 341.14
4 (10) of the statutes; **relating to:** special registration plates honoring this state's
5 support of the United States Olympic Committee and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, a group or organization that meets certain criteria may apply to the Department of Transportation (DOT) for designation as an authorized special group. If the application is approved, members of the authorized special group may obtain special registration plates for certain vehicles, including automobiles and motor homes, that are owned or leased by special group members. Before October 2, 1998, authorized special groups whose members may obtain special plates were specifically enumerated in state law. With certain exceptions, current law provides that specific enumeration in state law of authorized special groups is limited to those special groups enumerated before October 2, 1998. A fee, in addition to the regular registration fee for the particular kind of vehicle, is charged for the issuance or reissuance of most special plates.

This bill establishes an authorized special group specifically enumerated in state law for persons interested in obtaining special plates honoring this state's support of the United States Olympic Committee. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or

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reissuance of the special plates and to annually include payment of \$25 that provides funds in equal amounts to Pettit National Ice Center, Inc., the Central Cross Country Ski Association, and the United States Olympic Committee. The bill requires the special plates to display a logo or symbol associated with the United States Olympic Committee. DOT may not specify a design for the plates unless the design is approved by the United States Olympic Committee. DOT may not issue these special plates until DOT has obtained authority to use any applicable trademark or service mark associated with the United States Olympic Committee on these special plates and until DOT receives contributions from interested persons in the amount of DOT's final estimated initial costs of production of these special plates or \$11,800, whichever is less.

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

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

1 **SECTION 1.** 20.395 (5) (ei) of the statutes is created to read:

2 20.395 (5) (ei) *Payments related to United States Olympic Committee plates.*

3 From the general fund, all moneys received under s. 341.14 (6r) (b) 15. for payments
4 as provided in s. 341.14 (10) (a).

5 **SECTION 2.** 25.40 (1) (a) 32. of the statutes is created to read:

6 25.40 (1) (a) 32. Moneys received under s. 341.14 (6r) (b) 15. that are deposited
7 into the general fund and credited to the appropriation account under s. 20.395 (5)
8 (ei).

9 **SECTION 3.** 341.14 (6r) (b) 1. of the statutes is amended to read:

10 341.14 (6r) (b) 1. Subject to subd. 1m., upon application to register an
11 automobile or motor home, or a motor truck, dual purpose motor home or dual
12 purpose farm truck which has a gross weight of not more than 8,000 pounds, or a
13 farm truck which has a gross weight of not more than 12,000 pounds, by any person
14 who is a resident of this state and a member of an authorized special group, the
15 department shall issue to the person special plates whose colors and design shall

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1 indicate that the vehicle is owned by a person who is a member of the applicable
2 special group. The department may not issue any special group plates under par. (f)
3 55., 60., or 61r. until 6 months after the department has received information
4 sufficient for the department to determine that any approvals required for use of any
5 logo, trademark, trade name or other commercial symbol designating the
6 professional football team or professional baseball team or associated with
7 Harley-Davidson, Inc., have been obtained. Subject to ~~sub.~~ subs. (9) (d) and (10) (d),
8 the department may not issue any special group plates under par. (f) 61m. or 63. until
9 the department has received information sufficient for the department to determine
10 that any license or other approval required for use of any logo, trademark or service
11 mark, trade name or other commercial symbol to be used on or in association with
12 these plates has been obtained. Notwithstanding s. 341.12 (2), if the department of
13 corrections does not have flat-plate technology available for use in manufacturing
14 license plates at quality and cost comparable to that available from the state of
15 Minnesota, the department of transportation may not issue any special group plates
16 under par. (f) 59. unless the department of transportation purchases the plates from
17 the state of Minnesota. Sections 16.70, 16.71, 16.72, 16.75, 16.752 to 16.755, 16.765,
18 16.77, and 16.82 do not apply to purchases of plates issued under par. (f) 59. from the
19 state of Minnesota.

20 **SECTION 4.** 341.14 (6r) (b) 1m. of the statutes is renumbered 341.14 (6r) (b) 1m.

21 a. and amended to read:

22 341.14 **(6r)** (b) 1m. a. Upon receipt of contributions totaling an amount equal
23 to the initial costs of production of the special group plates under par. (f) 61. or
24 \$11,800, whichever is less, from Marquette University or other persons interested
25 in the special group plates under par. (f) 61., the department shall commence any

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1 development work necessary to implement the provisions of par. (f) 61. and related
2 provisions under this subsection and shall complete the development work within 6
3 months of its commencement. The development work under this ~~subdivision~~ subd.
4 1m. a. shall be funded only from the appropriation under s. 20.395 (4) (ch) from
5 contributions received by the department for purposes of this ~~subdivision~~ subd. 1m.
6 a. If the department does not receive, by June 30, 2013, sufficient contributions to
7 commence development work under this ~~subdivision~~ subd. 1m. a., the department
8 may not commence development work under this ~~subdivision~~ subd. 1m. a. and shall
9 promptly return to each contributor all contributions, less a transaction fee of no
10 more than \$2.50 per contributor for costs associated with the return of contributions,
11 received by the department for purposes of this ~~subdivision~~ subd. 1m. a. If the
12 department receives contributions in excess of the amount necessary to commence
13 development work under this ~~subdivision~~ subd. 1m. a., the department shall
14 discontinue receiving contributions under this ~~subdivision~~ subd. 1m. a. and
15 promptly return to each contributor all contributions, less a transaction fee of no
16 more than \$2.50 per contributor for costs associated with the return of contributions,
17 received by the department after the department had received sufficient
18 contributions. No contribution received by the department under this ~~subdivision~~
19 subd. 1m. a. may be applied to any fee established under subd. 2. The department
20 may not issue any special group plates under par. (f) 61. until the department has
21 completed the development work specified in this ~~subdivision~~ subd. 1m. a.

22 **SECTION 5.** 341.14 (6r) (b) 1m. b. of the statutes is created to read:

23 341.14 (**6r**) (b) 1m. b. Upon receipt of contributions totaling an amount equal
24 to the department's final estimate of the initial costs of production of the special
25 group plates under par. (f) 63. or \$11,800, whichever is less, from persons interested

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1 in the special group plates under par. (f) 63., the department shall commence any
2 development work necessary to implement the provisions of par. (f) 63. and related
3 provisions under this subsection and shall complete the development work within
4 one year of its commencement. As soon as possible, the department shall post notice
5 on the department's Internet site of its final estimate of the initial costs of production
6 of the special group plates under par. (f) 63. The development work under this subd.
7 1m. b. shall be funded only from the appropriation under s. 20.395 (4) (ch) from
8 contributions received by the department for purposes of this subd. 1m. b. If the
9 department does not receive, by June 30, 2017, sufficient contributions to commence
10 development work under this subd. 1m. b., the department may not commence
11 development work under this subd. 1m. b. and shall promptly return to each
12 contributor all contributions, less a transaction fee of no more than \$2.50 per
13 contributor for costs associated with the return of contributions, received by the
14 department for purposes of this subd. 1m. b. If the department receives
15 contributions in excess of the amount necessary to commence development work
16 under this subd. 1m. b., the department shall discontinue receiving contributions
17 under this subd. 1m. b. and promptly return to each contributor all contributions,
18 less a transaction fee of no more than \$2.50 per contributor for costs associated with
19 the return of contributions, received by the department after the department had
20 received sufficient contributions. No contribution received by the department under
21 this subd. 1m. b. may be applied to any fee established under subd. 2. The
22 department may not issue any special group plates under par. (f) 63. until the
23 department has completed the development work specified in this subd. 1m. b.

24 **SECTION 6.** 341.14 (6r) (b) 15. of the statutes is created to read:

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1 341.14 (6r) (b) 15. Subject to sub. (10) (d), a voluntary payment of \$25 that is
2 in addition to the fee under subd. 2. shall be collected in connection with the issuance
3 or renewal of a plate issued on an annual basis for the special group specified under
4 par. (f) 63. Subject to sub. (10) (d), a voluntary payment of \$50 that is in addition to
5 the fee under subd. 2. shall be collected in connection with the issuance or renewal
6 of a plate issued on a biennial basis for the special group specified under par. (f) 63.
7 if the plate is issued or renewed during the first year of the biennial registration
8 period or \$25 for the issuance or renewal if the plate is issued or renewed during the
9 2nd year of the biennial registration period. No plate may be issued for the special
10 group specified under par. (f) 63. unless the voluntary payment under this
11 subdivision is collected. All moneys received under this subdivision shall be
12 deposited into the general fund and credited to the appropriation under s. 20.395 (5)
13 (ei). To the extent permitted under ch. 71, the voluntary payment under this
14 subdivision is deductible as a charitable contribution for purposes of the taxes under
15 ch. 71.

16 **SECTION 7.** 341.14 (6r) (c) of the statutes is amended to read:

17 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the
18 name of the applicable authorized special group, a symbol representing the special
19 group, not exceeding one position, and identifying letters or numbers or both, not
20 exceeding 6 positions and not less than one position. Except as provided in this
21 paragraph, the department shall specify the design for special group plates, but the
22 department shall consult the president of the University of Wisconsin System before
23 specifying the word or symbol used to identify the special groups under par. (f) 35.
24 to 47., the secretary of natural resources before specifying the word or symbol used
25 to identify the special groups under par. (f) 50. and 59., the chief executive officer of

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1 the professional football team and an authorized representative of the league of
2 professional football teams described in s. 229.823 to which that team belongs before
3 specifying the design for the applicable special group plate under par. (f) 55., the chief
4 trademark officer of Harley-Davidson Michigan, LLC before specifying the design
5 for the applicable special group plate under par. (f) 61r., the department of veterans
6 affairs before specifying the design for the special group plates under par. (f) 49d.,
7 49h., and 49s., and the department of tourism and chief executive officer of the
8 organization specified in par. (f) 55m. before specifying the design and word or
9 symbol used to identify the special group name for special group plates under par.
10 (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to
11 regular registration plates in color and design. The department shall make available
12 2 designs for the special group plates under par. (f) 60. The department may not
13 specify any design for the special group plates under par. (f) 60. unless the design is
14 approved by the executive vice president of the Milwaukee Brewers Baseball Club
15 LP. The word or symbol used to identify the special group under par. (f) 59. shall be
16 different from the word or symbol used to identify the special group under par. (f) 50.
17 and the design shall cover the entire plate. Special group plates under par. (f) 61m.
18 shall display a logo or image of the lion associated with the Lions Clubs
19 International. Special group plates under par. (f) 61r. shall display a bar and shield
20 logo associated with Harley-Davidson, Inc., on the left portion of the plates and the
21 words "share the road" on the bottom portion of the plates. Special group plates
22 under par. (f) 63. shall display a logo or symbol associated with the United States
23 Olympic Committee and the department may not specify any design for the special
24 group plates under par. (f) 63. unless the design is approved by the United States
25 Olympic Committee, with a new approval required for each new design of these

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1 plates under s. 341.135. Notwithstanding par. (e), special group plates under par.
2 (f) 33m. and 48m. shall be the same color and design that was specified by the
3 department for special group plates under par. (f) 33. and 48., respectively,
4 immediately prior to January 1, 2007. The design for special group plates under par.
5 (f) 33. and 48. shall be different from the design of special group plates under par. (f)
6 33m. and 48m., respectively.

7 **SECTION 8.** 341.14 (6r) (f) 63. of the statutes is created to read:

8 341.14 **(6r)** (f) 63. Persons interested in obtaining a plate honoring this state's
9 support of the United States Olympic Committee.

10 **SECTION 9.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

11 341.14 **(6r)** (fm) 7. After October 1, 1998, additional authorized special groups
12 may only be special groups designated by the department under this paragraph. The
13 authorized special groups enumerated in par. (f) shall be limited solely to those
14 special groups specified under par. (f) on October 1, 1998. This subdivision does not
15 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
16 15m., 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57., 58., 59., 60., 61., 61m.,
17 and 61r., and 63.

18 **SECTION 10.** 341.14 (10) of the statutes is created to read:

19 341.14 **(10)** (a) Subject to par. (c), from the appropriation under s. 20.395 (5)
20 (ei), the department shall make payments to all of the following, in amounts as equal
21 as possible if the department issues special group plates under sub. (6r) (f) 63.:

- 22 1. Pettit National Ice Center, Inc.
- 23 2. The Central Cross Country Ski Association.
- 24 3. The United States Olympic Committee.

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1 (b) For each year in which the department makes payments to it under par. (a),
2 Pettit National Ice Center, Inc., the Central Cross Country Ski Association, and the
3 United States Olympic Committee shall submit to the presiding officer of each house
4 of the legislature an audited financial statement of its use of the payments under this
5 subsection, prepared in accordance with generally accepted accounting principles.

6 (c) The department shall discontinue payments to any recipient identified in
7 this subsection if the recipient dissolves, becomes insolvent, files a petition for
8 bankruptcy, or is no longer exempt from taxation under section 501 (a) of the Internal
9 Revenue Code.

10 (d) 1. If the special group plates under sub. (6r) (f) 63. will display any logo,
11 trademark or service mark, trade name, or other commercial symbol associated with
12 the United States Olympic Committee, the department may not issue any plates
13 under sub. (6r) (f) 63. unless the approval specified in sub. (6r) (b) 1. for these plates
14 provides for all of the following:

15 a. That the approval is irrevocable with respect to all plates issued for vehicles
16 after the plates are issued for these vehicles.

17 b. That, if the approval is withdrawn, the department may continue to renew
18 the registration of vehicles previously issued plates under sub. (6r) (f) 63., without
19 replacing those plates, but the department shall discontinue collecting the voluntary
20 payment specified in sub. (6r) (b) 15. with respect to these renewals.

21 2. Notwithstanding sub. (6r) (b) 1. and (f) (intro.), if the approval specified in
22 sub. (6r) (b) 1. for plates issued under sub. (6r) (f) 63. is withdrawn, the department
23 shall discontinue issuing plates under sub. (6r) (f) 63. unless additional approval, as
24 specified in this paragraph and sub. (6r) (b) 1., is obtained by the department.

25 **SECTION 11. Effective date.**

