

1983 Senate Bill 323

Date of enactment: April 20, 1984
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1983 Wisconsin Act 227

AN ACT *to repeal* 341.31 (1) (b) 4; *to amend* 341.045, 341.13 (2), 341.14 (1) to (1q), 341.26 (3) (am), 341.27 (3) (a), 341.28 (4) (c), 341.295 (3) (a), 341.31 (1) (intro.), 341.31 (1) (c) and (4) (a) and (b), 342.15 (4) (a), 342.34 (1) (c), 343.01 (2) (e) 3, 343.08 (1) (a) and (2), 346.50 (2) and (2a) (intro.) and 346.503 (1); and *to create* 340.01 (15n), 341.28 (2) (c), 341.28 (4) (d), 341.31 (1) (b) 6 and 7 and 341.31 (6) of the statutes, *relating to* special registration plates for motor vehicles used by physically disabled persons and transfer of registration plates.

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

SECTION 1. 340.01 (15n) of the statutes is created to read:

340.01 (15n) "Dual purpose farm truck" means a motor truck owned and operated by a farmer and used for the transportation of supplies, farm equipment and products on the owner's farm or between the owner's farms, the transportation of farm products from the owner's farm to market, and the transportation of supplies to the owner's farm and also used in furtherance of any nonfarm occupation, trade, profession or employment.

SECTION 2. 341.045 of the statutes is amended to read:

341.045 Use of registered farm trucks regulated. A motor truck 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), 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. 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).

SECTION 3. 341.13 (2) of the statutes is amended to read:

341.13 (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. 341.145 (1) (a), 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) or (1q) 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. 341.145 (1) (a), 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) or (1q) shall be shown on its certificate of registration.

SECTION 4. 341.14 (1) to (1q) of the statutes are amended to read:

341.14 (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. veterans administration certifying to the department that the resident is, by reason of injuries sustained while in the active U.S. military service, disabled by paraplegia, amputation of leg, foot, both hands or if he or she is disabled by loss of use of a leg, foot, or both hands, minimum faulty vision of 20/200 or other condition certified to by the veterans administration resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, 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 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 duly licensed to practice medicine in this state certifying to the department that the resident is disabled by paraplegia, amputation of leg, foot or both hands or if he or she is disabled by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other condition certified to by a physician duly licensed to practice medicine in this state resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, 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.

(1m) If any licensed driver submits to the department a statement from a physician duly licensed to practice medicine certifying that another person who is regularly dependent on the licensed driver for transportation is disabled by paraplegia, amputation of

leg, foot or both hands, or by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other condition resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, 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 ~~automobile or motor home~~ 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 employe's use submits to the department a statement from a physician duly licensed to practice medicine certifying that the employe is disabled by paraplegia, amputation of leg, foot or both hands or by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other condition resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, 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 ~~automobile or motor home~~ vehicle. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the ~~automobile or motor home~~ 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).

SECTION 5. 341.26 (3) (am) of the statutes is amended to read:

341.26 (3) (am) For each dual purpose farm truck having a registered gross weight of 12,000 pounds or less ~~used in furtherance of any nonfarm occupation, trade, profession or employment~~, 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 as for the purposes of a farm truck.

SECTION 6. 341.27 (3) (a) of the statutes is amended to read:

341.27 (3) (a) If Except as provided in s. 341.28 (2) (c), if the applicant holds current registration plates which were removed from an automobile of which the applicant no longer is the owner, or which has been junked, or is no longer used on the highways, and such 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 such unexpired registration period.

SECTION 7. 341.28 (2) (c) of the statutes is created to read:

341.28 (2) (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.

SECTION 8. 341.28 (4) (c) of the statutes is amended to read:

341.28 (4) (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

SECTION 9. 341.28 (4) (d) of the statutes is created to read:

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

SECTION 10. 341.295 (3) (a) of the statutes, as affected by 1983 Wisconsin Act (Assembly Bill 248), is amended to read:

341.295 (3) (a) If the applicant holds registration plates which were removed from a ~~motor truck or motorcycle~~ vehicle under s. 341.31 (4) ~~(b) or (c)~~, 342.15 (4) (a) or 342.34 (1) (c), and the plates were issued under the monthly series system, the department shall register ~~the motor truck or motorcycle~~ 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.

SECTION 11. 341.31 (1) (intro.) of the statutes is amended to read:

341.31 (1) (intro.) The annual registration fee shall be paid in full on all vehicles registered pursuant to s. 341.29 or 341.295 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):

SECTION 12. 341.31 (1) (b) 4 of the statutes is repealed.

SECTION 13. 341.31 (1) (b) 6 and 7 of the statutes are created to read:

341.31 (1) (b) 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

SECTION 14. 341.31 (1) (c) and (4) (a) and (b) of the statutes are amended to read:

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

(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 ~~motor truck registered vehicle~~ under s. 341.29 ~~for 6,000 pounds or less~~ 342.15 (4) (a) or 342.34 (1) (c) and which was junked or transferred or is no longer used on the highways may receive credit for the unused portion of the registration fee paid when registering a replacement ~~motor truck at 6,000 pounds or less~~ vehicle of the same type and gross weight.

SECTION 15. 341.31 (6) of the statutes is created to read:

341.31 (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.

SECTION 16. 342.15 (4) (a) of the statutes, as affected by 1983 Wisconsin Act ... (Assembly Bill 248), is amended to read:

342.15 (4) (a) If the vehicle being transferred is a motorcycle or an automobile or station wagon registered under the monthly series system or a motor home or a motor truck for which personalized license plates have been issued, 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, the owner shall remove the registration plates and retain and preserve them for use on any other vehicle of the same type and gross weight which may subsequently be registered in his or her name. ~~If the vehicle being transferred is a motor truck registered under the maximum gross weight system for 6,000 pounds or less, the owner shall remove the registration plates and retain and preserve them for use on any other motor truck which may subsequently be registered for not more than 6,000 pounds in his or her name.~~

SECTION 17. 342.34 (1) (c) of the statutes, as affected by 1983 Wisconsin Act ... (Assembly Bill 248), is amended to read:

342.34 (1) (c) If the motor vehicle is a motorcycle or an automobile or station wagon registered under the monthly series system or a motor home or a motor truck for which personalized license plates have been issued, 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, the owner shall remove the registration plates and retain and preserve them for use on any other vehicle of the same type which may subsequently be registered in his or her name. ~~If the motor vehicle is a motor truck registered under the maximum gross weight system for 6,000 pounds or less, the owner shall remove the registration plates and retain and preserve them for use on any motor truck which may subsequently be registered for not more than 6,000 pounds in the owner's name.~~ If the motor vehicle is not a motorcycle or an automobile or station wagon registered under the monthly series system, or a motor home or a motor truck for which personalized license plates have been issued, or a motor truck registered under the maximum gross weight system for 6,000 pounds or less, 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, he or she shall remove and destroy the plates.

SECTION 18. 343.01 (2) (e) 3 of the statutes is amended to read:

343.01 (2) (e) 3. He is engaged in operating a farm truck or a dual purpose farm truck and he is either the owner of the ~~farm~~ truck or a member of the owner's immediate family or an employe of the owner not employed primarily for the purpose of operating the ~~farm~~ truck; or

SECTION 19. 343.08 (1) (a) and (2) of the statutes are amended to read:

343.08 (1) (a) The department must be satisfied that it is necessary for the applicant to operate either an automobile, farm truck, dual purpose farm truck or power driven cycle owned and registered by the applicant's parent or guardian.

(2) A restricted license issued pursuant to this section is valid only until the licensee secures a regular operator's license or reaches 18 years of age and entitles the licensee to operate either an automobile ~~or~~, farm truck or dual purpose farm truck owned and registered by the licensee's parent or guardian or a motor-driven cycle owned and registered by the licensee's parent or guardian or both, depending on the restrictions placed by the department on the particular license. A license issued pursuant to this section does not authorize the licensee to operate any such vehicle during hours of darkness or to operate

a vehicle in a city having a population of 500,000 or more or to operate a commercial motor truck, motor bus or taxicab.

SECTION 20. 346.50 (2) and (2a) (intro.) of the statutes are amended to read:

346.50 (2) ~~An automobile or motor home~~ A motor vehicle bearing a special registration plate issued under s. 341.14 (1) is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with one-half hour or more limitation but otherwise is subject to the laws relating to parking. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. Parking privileges granted by this subsection are limited to the disabled veteran to whom the special plates were issued and to qualified operators acting under the disabled veteran's express direction with the disabled veteran present.

(2a) (intro.) ~~An automobile or motor home~~ A motor vehicle bearing special registration plates issued under s. 341.14 (1a), (1m) or (1q) or a motor vehicle upon which a special identification card issued under s. 343.51 is displayed or a motor vehicle registered in another jurisdiction upon which is displayed a registration plate, a card or an emblem issued by the other jurisdiction designating the vehicle as a vehicle used by a physically disabled person is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with one-half hour or more limitation but otherwise is subject to the laws relating to parking. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. Parking privileges granted by this subsection are limited to the following:

SECTION 21. 346.503 (1) of the statutes, as created by 1983 Wisconsin Act 77, is amended to read:

346.503 (1) In this section, "motor vehicle used by a physically disabled person" means ~~an automobile or a motor home~~ vehicle displaying special registration plates issued under s. 341.14 (1), (1a), (1m) or (1q) or a special identification card issued under s. 343.51 or a motor vehicle registered in another jurisdiction and displaying a registration plate, card or emblem issued by the other jurisdiction which designates the vehicle as a vehicle used by a physically disabled person.

SECTION 22. **Effective date.** (1) Except as provided in subsection (2), this act takes effect on the first day of the 6th month commencing after publication.

(2) The treatment of section 346.503 (1) of the statutes takes effect on September 1, 1984.
