

State of Wisconsin



2021 Senate Bill 437

Date of enactment: **December 3, 2021**

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2021 WISCONSIN ACT 108

AN ACT *to repeal* 341.04 (intro.); *to renumber* 341.04 (1) (b) and 341.04 (1) (c); *to renumber and amend* 341.04 (1) (a); *to amend* 341.04 (title), 341.04 (1) (intro.) and 341.18 (2); and *to create* 341.04 (2m) (d) of the statutes; **relating to:** operation of unregistered vehicles.

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

SECTION 1. 341.04 (title) of the statutes is amended to read:

341.04 (title) **Penalty for operating Operation of unregistered or improperly registered vehicle.**

SECTION 2. 341.04 (intro.) of the statutes is repealed.

SECTION 3. 341.04 (1) (intro.) of the statutes is amended to read:

341.04 (1) (intro.) ~~It is unlawful for any~~ No person ~~to may operate or for an~~ and no owner ~~to may consent to being operated on any highway of this state any motor vehicle, recreational vehicle, 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~~ any of the following applies:

(am) The vehicle is registered in this state, or, except,

(bm) 1. Except for registration under s. 341.30 or 341.305, a complete application for registration of the vehicle, including evidence of any inspection under s. 110.20 when required, accompanied by the required fee has been delivered to the department, submitted to a dealer under s. 341.09 (2m) for transmittal to the department, or deposited in the mail properly addressed with postage prepaid and, if,

2. If subd. 1. applies and the vehicle is an automobile or motor truck having a registered weight of 8,000 pounds or less, the vehicle displays a temporary operation plate issued for the vehicle unless the operator or owner of the vehicle produces proof that operation of the vehicle is within 2 business days of the vehicle's sale or transfer, or the,

(cm) The vehicle in question is exempt from registration.

SECTION 4. 341.04 (1) (a) of the statutes is renumbered 341.04 (2m) (a) and amended to read:

341.04 (2m) (a) ~~A- Notwithstanding sub. (1), a vehicle may be operated by a private person after the date of purchase of such the vehicle by such private the person or after the date such the 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 and the person otherwise complies with any applicable requirements of this section.~~

SECTION 5. 341.04 (1) (b) of the statutes is renumbered 341.04 (2m) (b).

SECTION 6. 341.04 (1) (c) of the statutes is renumbered 341.04 (2m) (c).

SECTION 7. 341.04 (2m) (d) of the statutes is created to read:

341.04 (2m) (d) Subsections (1) and (2) do not apply to the operation of a vehicle that is caused by pressure of

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

natural physical forces causing the owner or operator reasonably to believe that operation of the vehicle is the only means of preventing imminent death or great bodily harm, as defined in s. 939.22 (14), to a person or imminent public disaster.

SECTION 8. 341.18 (2) of the statutes is amended to read:

341.18 (2) If a person claims as a defense to a citation for failure to display evidence of registration that the per-

son has made application for annual registration as provided in s. 341.04 (1) ~~(intro.)~~ (bm) 2. 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).
