



1997 ASSEMBLY BILL 364

May 20, 1997 - Introduced by Representatives SKINDRUD, ALBERS, AINSWORTH, FREESE, GOETSCH, HAHN, HASENOHRL, MUSSER, OTTE, OTT, OWENS, PLOUFF, PORTER, POWERS, SERATTI and SYKORA, cosponsored by Senator WELCH. Referred to Committee on Agriculture.

- 1 **AN ACT to amend** 100.48 (4) (a); and **to create** 100.48 of the statutes; **relating**
2 **to:** tampering with hour meters of farm equipment and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits any person, with intent to defraud, from tampering with, altering, disconnecting or otherwise interfering with the hour meter of a piece of farm equipment. An hour meter measures and records the actual number of hours of operation of a piece of farm equipment. The bill permits an hour meter to be serviced, repaired or replaced, but provides that a sticker must be affixed if the hour meter no longer registers the same number of hours of operation. In such event, the hour meter must be adjusted to read zero, and the affixed sticker must indicate the date of the service, repair or replacement and the number of hours of operation recorded on the hour meter prior to its service, repair or replacement. The bill also prohibits any person, with intent to defraud, from removing, replacing or altering an affixed sticker.

Any violation of the prohibitions against hour-meter or affixed-sticker tampering may result in a fine of not more than \$5,000 or imprisonment for not more than one year in the county jail or both. Any failure to comply with the requirements to adjust an hour meter to read zero or to affix a sticker indicating the service, repair or replacement of an hour meter may result in a forfeiture of not more than \$500.

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

ASSEMBLY BILL 364**SECTION 1**

1 **SECTION 1.** 100.48 of the statutes is created to read:

2 **100.48 Hour-meter tampering. (1)** In this section:

3 (a) "Farm equipment" means a tractor or other machinery used in the business
4 of farming.

5 (b) "Hour meter" means an instrument on a piece of farm equipment that
6 measures and records the actual hours of operation of the piece of farm equipment.

7 **(2)** No person may, either personally or through an agent, remove, replace,
8 disconnect, reset, tamper with, alter, or fail to connect, an hour meter with the intent
9 to defraud by changing or affecting the number of hours of operation indicated on the
10 hour meter.

11 **(3)** (a) Nothing in this section shall prevent the service, repair or replacement
12 of an hour meter if the number of hours of operation indicated on the hour meter
13 remains the same as before the service, repair or replacement. If an hour meter is
14 incapable of registering the same number of hours of operation as before its service,
15 repair or replacement, the hour meter shall be adjusted to read zero, and a sticker
16 shall be affixed by the owner of the piece of farm equipment or an agent, in proximity
17 to the hour meter, specifying the number of hours of operation recorded on the hour
18 meter prior to its service, repair or replacement and the date on which it was
19 serviced, repaired or replaced. No person who services, repairs or replaces an hour
20 meter that is incapable of registering the same number of hours of operation as before
21 such service, repair or replacement may fail to adjust the hour meter to read zero or
22 fail to affix the sticker required by this paragraph.

23 (b) No person may, with intent to defraud, remove, replace or alter a sticker
24 affixed to an hour meter as required under par. (a).

