

No. 358, A.]

[Published June 30, 1955.

**CHAPTER 337**

AN ACT to repeal and recreate 78.03 and 78.42; of the statutes, relating to motor vehicle fuel taxes.

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

SECTION 1. 78.03 of the statutes is repealed and recreated to read:

**78.03 MOTOR VEHICLE AND MOBILE MACHINERY AND EQUIPMENT DEFINED.** (1) "Motor vehicle", as used in this chapter, means any automobile, truck, truck-tractor, tractor, bus, vehicle, or other conveyance which is self-propelled by an internal combustion engine or motor and licensed for highway use, except it does not include mobile machinery and equipment.

(2) "Mobile machinery and equipment", as used in this chapter, means a vehicle which is self-propelled by an internal combustion engine or motor but not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway such as farm tractors, ditch digging apparatus, power shovels, drag lines, earth moving equipment and machinery and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finishing machines, motor graders, paving mixers, road rollers, scarifiers and earth moving scrapers. The foregoing enumeration shall not operate to exclude other vehicles which are within the general terms of this subsection.

(3) Mobile machinery and equipment shall not include dump trucks or self-propelled vehicles originally designed for the transportation of persons or property to which machinery has been attached such as truck-mounted transit mixers, cranes, shovels, welders, air compressors, well-boring apparatus, corn shellers, lime spreaders and feed grinders.

SECTION 2. 78.42 of the statutes is repealed and recreated to read:

78.42 MOTOR VEHICLE AND MOBILE MACHINERY AND EQUIPMENT DEFINED. (1) "Motor vehicle", as used in this chapter, means any automobile, truck, truck-tractor, tractor, bus, vehicle, or other conveyance which is self-propelled by an internal combustion engine or motor and licensed for highway use, except it does not include mobile machinery and equipment.

(2) "Mobile machinery and equipment", as used in this chapter, means a vehicle which is self-propelled by an internal combustion engine or motor but not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway such as farm tractors, ditch digging apparatus, power shovels, drag lines, earth moving equipment and machinery and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finishing machines, motor graders, paving mixers, road rollers, scarifiers and earth moving scrapers. The foregoing enumeration shall not operate to exclude other vehicles which are within the general terms of this subsection.

(3) Mobile machinery and equipment shall not include dump trucks or self-propelled vehicles originally designed for the transportation of persons or property to which machinery has been attached such as truck-mounted transit mixers, cranes, shovels, welders, air compressors, well-boring apparatus, corn shellers, lime spreaders and feed grinders.

SECTION 3. This act shall take effect on the first day of the month succeeding the month of passage and publication.

Approved June 29, 1955.

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