

CHAPTER 587

AN ACT to amend 194.44 (2) and 194.46 of the statutes, relating to the regulation of private and leased motor carriers.

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

SECTION 1. 194.44 (2) of the statutes is amended to read:

194.44 (2) If any person engaged in the business of leasing motor vehicles without drivers, or leasing trailers to be hauled or propelled by a motor vehicle, leases such motor vehicles without drivers, or leases such trailers to private motor carriers, such lessor shall procure a private motor carrier permit in his name for the motor vehicles or trailers leased to private motor carriers. In such event, a lessor's private motor carrier's permit on a motor vehicle or trailer being used by a private motor carrier shall constitute compliance with this chapter on the part of such motor carrier with respect to the requirements for a permit on such motor vehicle or trailer. When a leased motor vehicle or trailer is used by a private motor carrier under permit issued to the lessor of such motor vehicle or trailer, the person in whose name the permit is issued shall be responsible to the state for the payment of all taxes, fees and other payments due under chs. 194 and 341 because of the operation of the motor vehicle or trailer under such permit, and for the making of all reports in connection with the operation of such motor vehicle or trailer. The owner of each such leased motor vehicle or trailer shall before leasing the same comply with the insurance requirements of s. 194.41. The annual permit fee for each such leased motor vehicle or trailer is \$10 and shall be collected by the motor vehicle department. It is the duty of the * * * *public service commission* to supervise and regulate the operations of such leased motor vehicles and trailers to effectively accomplish the intent of s. 194.02. *The commission shall have the power to investigate all leasing practices of any leasing company including the inspection of its records and requiring reports periodically to determine whether the leasing company is supplying for hire truck service without complying with the provisions of ch. 194.*

SECTION 2. 194.46 of the statutes is amended to read:

194.46 AMENDMENT OR REVOCATION OF CERTIFICATE, LICENSE OR PERMIT, OR LICENSE UNDER S. 194.44; HEARING. The commission may at any time, by its order duly entered after a hearing had, upon notice to the holder of any certificate, license or permit, *or a permit holder under s. 194.44*, and an opportunity to be heard, at which it shall be proved that such holder has wilfully violated or refused to comply with any of the provisions of this chapter, or any orders, rules or regulations of the commission, alter, amend, suspend or revoke such certificate or license or suspend or revoke such permit *or operation under s. 194.44*. After notice given to the licensee and opportunity to be heard, the commission may suspend or revoke any license upon a finding that service has been abandoned thereunder; and may suspend or revoke any item of authority under a license upon a finding that service under such item of authority has been abandoned.

Approved October 27, 1959.