

CHAPTER 341.

REGISTRATION OF VEHICLES.

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REGISTRATION.

341.01 Words and phrases defined. Words and phrases defined in s. 340.01 are used in the same sense in this chapter unless a different definition is specifically provided.

341.04 Penalty for operating unregistered or improperly registered vehicle. (1) It is unlawful for any person to operate or for an owner to consent to being operated on any highway of this state any motor vehicle, mobile home, 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 in this state or is exempt from registration.

(a) A vehicle may be operated by a private person within a period of 15 days after the date of purchase of such vehicle by such private person or within a period of 15 days after the date such person moved to this state if application for registration and certificate of title has been made.

(b) All vehicles subject to renewal of registration may be operated without displaying current registration for a period of 15 days following the date of expiration, provided that application for reregistration has been made.

(2) Unless application for reregistration has been made as required by s. 341.32, it is unlawful for any person to operate or for the owner to consent to being operated on any highway of this state any registered vehicle the construction or use of which has been changed so as to make the vehicle subject to a higher fee than the fee at which it currently is registered or which is carrying a greater load than that permitted under the current registration.

(3) Any person violating subs. (1) or (2) may be fined not more than \$200 or imprisoned not more than 6 months or both. In addition to imposing the penalty, the court shall order the offender to make application for registration or reregistration and to pay the fee therefor.

History: 1961 c. 662.

The owner, operator or both may be charged with operation of an improperly registered or unregistered truck, but the operator cannot be served as an agent of the owner unless he is an officer, director or managing agent of the corporation. 64 Atty. Gen. 45.

341.05 When vehicles exempt from registration. A vehicle, even though operated upon a highway of this state, is exempt from registration when such vehicle:

- (1) Is operated in accordance with the provisions relating to registration of dealers, distributors, manufacturers, transporters or finance companies; or
- (2) Is operated in accordance with the provisions exempting nonresident or foreign-registered vehicles from registration; or
- (6) Is operated exclusively upon stationary rails or tracks or propelled by the use of electricity obtained from overhead trolley structures; or
- (7) Is a farm tractor used exclusively in agricultural operations, including threshing, or used exclusively to provide power to drive other machinery, or to transport from job to job machinery driven by such tractor; or
- (9) Is a trailer or semitrailer used exclusively for the transportation of farm machinery, implements, produce or supplies on a farm or between farms; or
- (10) Is a farm trailer with a gross weight of not more than 8,000 pounds and used as a farm trailer; or
- (11) Is a trailer or semitrailer permanently equipped with a well-drilling outfit or designed for moving pea viners and used exclusively for either of such purposes; or
- (12) Is a fork-lift truck, a specially constructed road or truck tractor used for shunting trailers or semitrailers in terminal areas or a trailer which is used principally off the highway; or
- (13) Is a trailer or semitrailer having a gross weight of 3,000 pounds or less and not used for hire; or
- (14) Is a trailer or semitrailer not operated in conjunction with a motor vehicle; or
- (14m) Is a new motor vehicle being operated only across a highway from point of manufacture or assembly.
- (15) Is a motor vehicle being towed, except when the person operating the vehicle supplying the motive power is a transporter he must be registered as a transporter; or
- (16) Is a piece of road machinery.
- (17) Is an implement of husbandry.
- (18) Is a motor truck which is operated upon a highway only when directly crossing such highway.

History: 1961 c. 662; 1965 c. 335, 373; 1967 c. 98.

341.055 Snowmobile not to be registered. A snowmobile, though permitted to cross 2- or 3-lane highways, shall not be registered.

History: 1967 c. 292.

341.06 Optional registration. (1) The department shall register the following vehicles upon proper application therefor and payment of the required fee even though such vehicles may be exempt from registration:

- (a) A trailer or semitrailer having a gross weight of 3,000 pounds or less and not used for hire. The registration fee charged shall be the same as if the trailer or semitrailer were to be used for hire.
- (b) A vehicle owned by a nonresident and which would be subject to registration if owned by a resident. The registration fee charged shall be the same as if the vehicle were owned by a resident.

(2) A vehicle registered under authority of this section is not on that account exempt from any property tax which would be payable in the absence of such registration.

341.07 Certain vehicles to be registered by resident lessee. (1) If a motor truck or truck tractor is to be operated in this state under authority of a common carrier certificate or contract carrier license issued by the public service commission to a resident of this state, including a Wisconsin corporation, and such operation is in accordance with a lease or operating agreement with the owner of the motor truck or truck tractor or other person authorized to enter into such lease or operating agreement, the certificated or licensed carrier shall register such motor truck or truck tractor in this state unless it has been so registered by the owner. This section applies even though the motor truck or truck tractor is owned by a nonresident.

(2) If a motor truck or truck tractor is operated by or with the consent of such certificated or licensed carrier on any highway of this state when such vehicle is not registered

in this state or when such vehicle is required by s. 341.04 (2) to be re-registered, such carrier is subject to the penalty provided in s. 341.04 (3). The court, in addition to imposing the penalty, shall order the carrier to make application for registration or reregistration and to pay the fee therefor.

(3) This section does not affect the interchange of trailers and semitrailers as authorized by s. 341.41 (4).

341.08 Application for registration. (1) Application for original registration and for renewal of registration shall be made to the department upon forms prescribed by it and shall be accompanied by the required fee.

(2) Applications for original registration of a vehicle shall contain the following information:

(a) The name of the owner.

(b) The name of the town, city or village in which the owner resides and, if the owner resides in a city of the first or second class, his true residential or business address.

(c) A description of the vehicle, including make, model, identifying number and any other information which the department may reasonably require for proper identification of the vehicle.

(d) The city, village or town in which the vehicle is kept.

(e) Such further information as the department may reasonably require to enable it to determine whether the vehicle is by law entitled to registration or to enable it to determine the proper registration fee for the vehicle.

(3) The department may accept an application and complete registration of a vehicle when the evidence of ownership is held by a nonresident lienholder or for other reason is not immediately available and the department is satisfied as to ownership of the vehicle. The title fee shall be collected at the time of registration and retained even though certificate of title is not issued.

(4) Applications for renewal of registration shall contain the information required in sub. (2) for original applications or such parts thereof as the department deems necessary to assure the proper registration of the vehicle. The department may require that applications for renewal of registration be accompanied by the certificate of title issued for the vehicle until December 31, 1966, after which the department may require the title only when the true ownership or proper prior registration of the vehicle is in doubt and cannot be resolved from records maintained by the department.

(5) The department shall supply the several county clerks with blank application forms for original registration of vehicles.

(6) If the applicant for a certificate of registration is under 18 years of age, the application shall be accompanied by a statement made and signed by the applicant's father if he has custody of the applicant; or if the father does not have custody, then by the mother if she has custody; or if neither parent has custody, then by the person or guardian having such custody, stating that the applicant has the consent of such person or guardian to register such vehicle in the applicant's name. The signature on such statement shall not impute any liability for the negligence or misconduct of the applicant while operating such motor vehicle on the highways. Any person who violates this section may be fined not more than \$200 or imprisoned not more than 6 months or both.

History: 1965 c. 350, 396, 485.

341.09 Temporary operation permits. (1) The department may issue a temporary operation permit for an unregistered vehicle under any of the circumstances set forth in this section. Such permits shall contain the date of expiration and sufficient information to identify the vehicle for which and the person to whom it is issued.

(2) Upon request therefor by a person who has made application for registration and paid the registration fee, the department shall issue to him without charge a temporary operation permit if it appears that he would otherwise be unable to lawfully operate his vehicle pending receipt by him of his registration plates. Such permit expires on the 15th day from the date of issuance.

(3) Upon application therefor to the commissioner by a person engaged in the active military service of the United States or its allies and upon satisfactory proof of the active military status of the applicant and of a furlough granted to him the commissioner shall issue to the applicant without charge a temporary operation permit which authorizes the applicant to operate his own or any other vehicle designated by him without registration of such vehicle. Such permit is valid only while the applicant is on furlough and for a period not to exceed 30 days.

341.10 Grounds for refusing registration. The department shall refuse registration of a vehicle under the following circumstances:

(1) The required state fee has not been paid and any municipal vehicle registration fee imposed by a town, village or city in which the vehicle is customarily kept has not been paid; or

(2) The applicant has failed to furnish the information or documents required by law or by the department pursuant to authority of law; or

(3) A certificate of title is a prerequisite to registration of the vehicle and the applicant does not hold a valid certificate of title and is not entitled to the issuance of a certificate of title; or

(4) The applicant has had his registration suspended or revoked and such suspension or revocation still is in effect; or

(5) The vehicle is exempt from registration under this chapter and voluntary registration of the vehicle is not expressly authorized.

History: 1967 c. 209.

341.11 Contents, issuance and display of certificate of registration; issuance of duplicate certificate. (1) Except as provided in sub. (2) the department upon registering a vehicle shall issue and deliver to the owner a certificate of registration. The certificate shall contain the name, residence and address of the owner, a brief description of the vehicle, the registration number assigned and the date of expiration of registration. The certificate shall be in such form and may contain such additional information as the department deems advisable.

(2) Whenever a certificate of registration is issued upon registration of a motor truck or truck tractor by a certificated or licensed carrier in accordance with s. 341.07, the certificate shall show that the vehicle is registered in the name of, owner,, lessee, and shall be delivered to the applicant.

(3) The department shall issue a duplicate certificate of registration upon application therefor by any person in whose name the vehicle is registered and upon payment of a fee of 25 cents.

(4) In the case of motor trucks, motor busses, truck tractors and road tractors, the certificate of registration must be displayed in a prominent place in the driver's compartment of the vehicle to which the certificate refers. Any person who operates and any person in whose name the vehicle is registered who consents to the operation of any such vehicle without the certificate of registration being so displayed may be fined not more than \$200 or imprisoned not more than 6 months or both.

341.12 Design, procurement and issuance of registration plates. (1) The department upon registering a vehicle pursuant to s. 341.25 or 341.30 shall issue and deliver prepaid to the applicant 2 registration plates for an automobile, motor truck, motor bus, school bus or self-propelled mobile home and one plate for other vehicles. The department upon registering a vehicle pursuant to any other section shall issue one plate unless it believes that 2 plates will better serve the interests of law enforcement.

(2) The department shall purchase plates from the state prison at Waupun unless otherwise approved by the governor. Subject to any specific requirements which may be imposed by statute, the department shall determine the size, color and design of registration plates with a view toward making them visible evidence of the period for which the vehicle is registered and the fee class into which the vehicle falls as well as making them a ready means of identifying the specific vehicle or owner for which the plates were issued.

(3) All registration plates shall have displayed upon them the following:

(a) The registration number or letters assigned to the vehicle or owner.

(b) The name "Wisconsin" or abbreviation "Wis".

(c) An indication of the period for which the specific plate is issued or the date of expiration of registration.

(4) All registration plates issued under s. 341.25 (1) (a) and for motor trucks having a gross weight of not more than 10,000 pounds on and after January 1, 1967, shall be treated with a reflectorized material. The department, in conjunction with the corrections division of the department of public welfare and the bureau of purchases in the department of administration, shall establish the specifications for the reflectorized material and invite bids for supplying reflectorized material. The bureau of purchases shall establish a date for the opening of such bids and shall award the contract for supplying reflectorized material to the lowest responsible bidder. The specifications shall be drawn up for each base plate year. An additional fee of 15 cents per year per set of registration plates shall be collected for cost of reflectorization and administration. The motor vehicle commissioner shall prescribe the term for the use of reflectorized plates.

History: 1965 c. 452.

341.13 Additional specifications for design of certain plates. (1) In addition to the matter specified in s. 341.12 (3), registration plates for automobiles registered pursuant to the monthly series system shall comply with the following specifications:

(a) The words "America's Dairyland" shall be displayed across either the lower or upper portion of the plate at the discretion of the commissioner.

(b) A 3-letter abbreviation for the month of registration and the year of registration shall be displayed in symbols not less than three-fourths inch high.

(c) The registration number, including the prefix which may consist of one or more letters, shall be located prominently in the center of the plate and shall be at least 3 inches high and of a clearly distinguishable design.

(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 shall bear a distinguishing letter or letters to indicate the weight class into which the vehicle falls.

(3) In lieu of issuing new plates upon each renewal of registration of a vehicle, the department may issue insert tags or decals to indicate the period of registration. Such tags or decals are to be provided by the department and used only to the extent that outstanding plates are in suitable condition for further usage.

History: 1963 c. 209.

341.14 Application for and issuance of special plates. The department shall issue special plates as specified in this section under the following circumstances:

(1) Whenever any resident of this state who is registering or has registered his automobile submits a statement from the U.S. veterans administration certifying to the department that he is, by reason of injuries sustained while in the active military service of the United States, disabled by paraplegia, amputation of leg, foot, both hands or if he 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 him, plates of a special design in lieu of the plates which ordinarily would be issued for the automobile. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the automobile 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 his automobile, submits a statement from a physician duly licensed to practice medicine in this state certifying to the department that he is disabled by paraplegia, amputation of leg, foot or both hands or if he 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 him, plates of a special design in lieu of plates which ordinarily would be issued for the automobile. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the automobile 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.

(2) Upon compliance with the laws relating to registration of motor vehicles, including payment of the prescribed fee plus an additional fee of \$1 accompanied by an application showing satisfactory proof that the applicant is the holder of an unexpired amateur radio station license issued by the federal communications commission and that all necessary transmitting and receiving equipment has been installed in the vehicle, the department shall issue registration plates on which, in lieu of the usual registration number, shall be inscribed in large legible form the call letters of such applicant as assigned by the federal communications commission.

(3) Upon request therefor by the state or a county or municipality which is registering a vehicle owned by it and to be used in law enforcement work, the department shall issue the same type of registration plate as it would issue for a privately-owned vehicle of the same type in lieu of the type of plate it ordinarily would issue for a vehicle owned by the state or by a county or municipality. This subsection does not affect the registration fee to be charged.

(4) For antique motor vehicles as specified in s. 341.265.

History: 1961 c. 20; 1963 c. 332, 533; 1965 c. 561.

341.145 Application for and issuance of special license numbers. (1) In this section "special license number" means any number on a registration plate other than that

which the department determines would normally be issued sequentially to an applicant for original or renewal vehicle registration.

(2) The department shall issue a special license number only upon request and upon the payment of an additional fee of \$3 when license plates are issued, if:

(a) The request and alternative thereto is received by the department in writing by mail by the 15th day of the month in which the vehicle is to be registered;

(b) The request is accompanied by the proper fee, an application for original or renewal vehicle registration and the proper registration fee;

(c) The requested number has not already been issued.

(3) Each special license number issued shall be reserved for the recipient in succeeding registration periods. If the individual does not specifically request reissuance of the special number as provided in sub. (2), in a succeeding plate issuance year, the department may issue the number to another applicant.

(4) Nothing in this section shall be construed to mean that the holder of any license number issued before or after July 2, 1966 has any claim on that number unless the provisions of this section have been met in full.

History: 1965 c. 572.

341.15 Display of registration plates. (1) Whenever 2 registration plates are issued for a vehicle, one such plate shall be attached to the front and one to the rear of the vehicle. Whenever only one registration plate is issued, the plate shall be attached to the front, if the vehicle is a truck tractor or road tractor; otherwise, it shall be attached to the rear.

(2) Registration plates shall be attached firmly and rigidly in a horizontal position and conspicuous place. The plates shall at all times be maintained in a legible condition and shall be so displayed that they can be readily and distinctly seen and read. Any peace officer may require the operator of any vehicle on which plates are not properly displayed to display such plates as required by this section.

(3) Any of the following may be fined not more than \$200 or imprisoned not more than 6 months or both:

(a) A person who operates a vehicle for which current registration plate or insert tag has been issued without such plate or tag being attached to the vehicle, except when such vehicle is being operated pursuant to a temporary operation permit;

(b) A person who operates a vehicle with a registration plate attached in a non-rigid or non-horizontal manner or in an inconspicuous place so as to make it difficult to see and read the plate;

(c) A person who operates a vehicle with a registration plate in an illegible condition due to the accumulation of dirt or other foreign matter.

341.16 Issuance of duplicate plates. (1) Whenever a current registration plate is lost or destroyed, the owner of the vehicle to which the plate was attached shall immediately apply to the department for replacement. Upon satisfactory proof of the loss or destruction of the plate and upon payment of a fee of \$1.50, the department shall issue a replacement.

(2) Whenever a current registration plate becomes illegible, the owner of the vehicle to which the plate is attached shall apply to the department for a replacement. Upon receipt of satisfactory proof of illegibility, and upon payment of a fee of \$1.50, the department shall issue a replacement. Upon receipt of his replacement plate, the applicant shall forthwith destroy his illegible plate.

(3) When issuing a replacement plate, the department may assign a new number and issue a new plate rather than a duplicate of the original if in its judgment that is in the best interests of economy or prevention of fraud. In such event, the person receiving the replacement plates shall surrender both original plates if 2 plates were issued.

(4) Any person issued replacement plates who fails to surrender his illegible plate or plates as required by subs. (2) or (3) may be fined not more than \$200 or imprisoned not more than 6 months or both.

(5) This section does not apply to plates issued pursuant to the law pertaining to the registration of dealers, distributors, manufacturers or transporters.

History: 1965 c. 452, 542.

341.17 Department to compile and publish registration lists. (1) At the close of each month, the department shall compile and produce in book form a list of registrations made during that month pursuant to the monthly series system of registering automobiles. Such list shall give the name and address of each registrant, the registration number assigned, and such other identifying information as the commissioner deems necessary.

(2) The department shall compile a list by counties of new automobile and motor truck registrations. Registrations for other new vehicles may be included if deemed necessary by the department. Such lists shall be compiled at such intervals during the month as is deemed necessary by the department but the final list compiled each month shall include the listing of the last day of the month. Such list shall contain only those vehicles being registered for the first time after sale by a dealer. Such list shall contain the name and address of the owner, the make, body type, identification number of the vehicle, the dealer license number, if such dealer is registered in this state, and the date of sale.

(3) Prior to January 1 of each year the commissioner shall compile a list of all registrations made under the law relating to operators of mobile amateur radio stations. Such list shall contain the name and address of each owner and the registration plate letters assigned to each such owner. The list shall be arranged alphabetically according to the names of the owners.

(4) The department shall make the following free distribution of registration lists compiled as provided in this section:

(a) To each county clerk making request therefor, one copy of each monthly automobile registration list.

(b) To each county clerk making request therefor, one copy of each daily new automobile and motor truck registration list.

(c) To the sheriff of each county, one copy of each monthly automobile registration list and one copy of each list of registrations made under the law relating to operators of mobile amateur radio stations.

(d) To each chief of police, one copy of each monthly automobile registration list.

(e) To each village clerk making request therefor, one copy of each monthly automobile registration list.

(f) To the state highway commission, copies of each monthly automobile registration list as requested.

(g) To the state department of taxation, copies of each monthly automobile registration list as requested.

(5) Public officers and agencies receiving free copies of registration lists shall keep such lists current and open to public inspection.

(6) The commissioner shall sell subscriptions to the monthly automobile registration lists at not more than \$120 per year. Other registration information may be sold by the commissioner at his discretion. In computing the charge to be made for subscriptions to the new automobile and motor truck registration lists, the commissioner shall determine the cost of compiling such lists and shall fairly apportion the major share of such costs among the subscribers.

(7) The department may suspend the compilation and distribution of the monthly automobile registration list during the period of national war emergency and while new registration numbers are not being issued annually, but shall continue to transmit from time to time to the persons designated by this section to receive free copies of the monthly lists such additions to or changes in the monthly lists issued during the year preceding suspension as are caused by the registration of vehicles not previously registered in the state or by the issuance of new registration numbers for vehicles previously registered.

History: 1961 c. 662; 1963 c. 209.

PROVISIONS RELATING TO REGISTRATION FEES.

341.25 Annual registration fees. (1) Unless a different fee is prescribed for a particular vehicle by s. 341.26, the following registration fees shall be paid to the department for the annual registration of each motor vehicle, mobile home, trailer or semi-trailer not exempted by s. 341.05 from registration in this state:

(a) For each automobile or station wagon, a fee of \$18, except that an automobile registered in this state prior to September 1, 1947, at a fee of less than \$18 shall be registered at such lesser fee plus an additional fee of \$2. Two dollars of each fee prescribed under this paragraph shall be allotted as provided in s. 20.395 (2) (xa), (4) (xe), (6) (u) and (7) (u) and such \$2 shall not be considered a portion of the net registration fee under s. 86.35.

(b) For each motor vehicle with a shipping weight of 1,000 pounds or less which is designed primarily for the transportation of persons rather than property, a fee of \$5.

(c) For each motor truck, a fee to be determined in accordance with sub. (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 and the maximum load in pounds which the applicant proposes to carry on the vehicle.

(d) For each road tractor, a fee to be determined in accordance with sub. (2) on the basis of the maximum gross weight of the vehicle.

(e) For each truck tractor, a fee to be determined in accordance with sub. (2) on the basis of the maximum combined gross weight of such truck tractor and any semi-trailer which the applicant proposes to combine with such truck tractor. The maximum combined gross weight shall in every case be determined by adding together the weight in pounds of the combination of vehicles when equipped to carry a load and the maximum load in pounds which the applicant proposes to carry on the combinations of vehicles.

(f) For each semitrailer operated in connection with a truck tractor, a fee of \$10.

(g) For each trailer or semitrailer designed to be hauled by a motor vehicle other than a truck tractor, a fee which is one-half of the fee prescribed for a motor truck of the same maximum gross weight. The maximum gross weight shall be determined in the same manner as for a motor truck.

(h) For each motor bus a fee to be determined in accordance with sub. (2) on the basis of the maximum gross weight of the vehicle. The maximum gross weight shall be determined by adding together the weight in pounds of the vehicle when equipped ready to carry passengers and the total passenger weight capacity in pounds. The total passenger weight capacity in pounds shall be determined by dividing by 20 the total length in inches of seating space in or on the vehicle, including the driver's seat, and multiplying this result by 150.

(i) For each mobile home 25 feet or less in length, a fee of \$5; for each mobile home more than 25 feet in length, a fee of \$10.

(j) All fees and provisions applicable to the registration of private automobiles also apply to the registration of self-propelled mobile homes.

(2) The following schedule shall be used in determining fees based on gross weight, but each fee shall be increased by \$2 to be allotted as provided in s. 20.395 (2) (xa), (4) (xc), (6) (u) and (7) (u) and such \$2 shall not be considered a portion of the net registration fee under s. 86.35:

Maximum gross weight in pounds	Annual fee
Not more than 3,000	\$ 16
Not more than 4,500	25
Not more than 6,000	35
Not more than 8,000	55
Not more than 10,000	90
Not more than 12,000	115
Not more than 14,000	140
Not more than 16,000	165
Not more than 18,000	190
Not more than 20,000	215
Not more than 22,000	240
Not more than 24,000	265
Not more than 26,000	290
Not more than 28,000	315
Not more than 30,000	350
Not more than 32,000	375
Not more than 34,000	400
Not more than 36,000	425
Not more than 38,000	450
Not more than 40,000	475
Not more than 42,000	500
Not more than 44,000	535
Not more than 46,000	560
Not more than 48,000	585
Not more than 50,000	610
Not more than 52,000	635
Not more than 54,000	660
Not more than 56,000	685
Not more than 58,000	710
Not more than 60,000	735
Not more than 62,000	770
Not more than 64,000	805
Not more than 66,000	840
Not more than 68,000	875
Not more than 70,000	910
Not more than 71,000	930

Not more than 72,000..... 950
 Not more than 73,000..... 1,000

(3) Upon payment of the fee prescribed by law, a vehicle subject to registration on the basis of gross weight may be registered at a weight in excess of the manufacturer's maximum gross weight rating, but such registration does not exempt such vehicle from compliance with weight limitations imposed by law or by state or local authorities pursuant to authority of law.

History: 1965 c. 232, 499; 1967 c. 98, 291 s. 14.

341.26 Special annual registration fees for certain vehicles. (1) A fee of \$10 shall be paid to the department for the annual registration of the following types of special mobile equipment unless the vehicle or class of vehicles is exempted by s. 341.05 from registration in this state:

(a) A motor truck or traction well-drilling rig permanently equipped with a well-drilling outfit and used exclusively for well-drilling purposes;

(b) A motor truck or traction sawmill or corn sheller rig permanently equipped with a portable sawmill or corn sheller outfit and used exclusively for sawmill or corn sheller purposes;

(c) A trailer not used for hire and used for transporting any ditching machine which is used exclusively for farm ditching or for the loading of gravel or other road material and which has a dipper capacity of not to exceed five-eighths of a yard;

(d) A mobile crane or trench hoe used for bridge or building construction, for ditching and excavating, for heavy machinery removal or installation or for loading and handling of heavy articles;

(e) A motor vehicle, trailer or semitrailer, if operated empty or transporting the equipment of the owner to or from a certain location, when such operation at the location is any of the following:

1. The performance of work on a contract for the construction or maintenance of highways or airports for the United States, the state or any political subdivision thereof; or

2. The production of agricultural lime; or

3. The clearing of land, building of dikes, or terracing and ditching for the purpose of soil erosion control, farm drainage or forestry.

(f) A motor truck on which is mounted feed grinding and mixing equipment and used exclusively as a portable feed mill.

(g) A motor vehicle not used for hire and used in conjunction with a trailer on which is permanently mounted equipment used for wood chipping and screening.

(h) A trailer on which is permanently mounted equipment used exclusively for wood chipping and screening.

(2) A registration fee of \$1 shall be paid to the department for the annual registration of each of the following vehicles:

(b) Any vehicle loaned to this state or to any county or municipality of this state for the duration of any war emergency and operated exclusively for civilian defense purposes by such state, county or municipality;

(c) Any motor vehicle loaned to an approved public or private school for the sole purpose of driver education;

(d) A school bus owned, operated or under contract with a private or public school or college and used exclusively for transportation of students to or from school or college including extracurricular activities to or from points designated by such school or college;

(da) When engaged in passenger-carrying operations other than as provided in par. (d), such school busses shall register and pay the fees for motor busses provided for in s. 341.25 (2), which said fees may be paid as provided for in ss. 341.30 and 341.31. Fees for part-quarterly registration shall be computed on the basis of one-twelfth of the annual fee multiplied by the number of months of the current quarter which have not fully expired on the date of the application, provided that, where the vehicle was not operated in other than school bus service, an affidavit of nonoperation satisfactory to the department shall be filed with the application;

(e) A motor bus owned and operated by a charitable corporation and used exclusively for the purposes for which incorporated and not used for hire;

(f) A motor vehicle operated exclusively as a Red Cross blood bank vehicle;

(g) A motor vehicle operated exclusively by a nationally chartered war veterans' organization and used only for the purpose of advertising the organization;

(h) A motor vehicle used for the urban mass transportation of passengers as defined in s. 71.18 (2) (a) or operated as auxiliary to or as part of a street railway system.

- (i) A motor vehicle owned and operated exclusively by the civil air patrol.
- (j) A motor vehicle and semitrailer operated exclusively as a mobile X-ray unit owned and operated by a nonprofit corporation and used exclusively for the purposes for which incorporated and not for hire.
- (k) A fire truck owned and operated exclusively by an incorporated volunteer fire department.

(2m) (a) A fee of \$3 shall be paid to the department for the original issuance of a registration and license plates for any vehicle owned by this state or by any county or municipality of this state and operated exclusively in the public service by such state, county or municipality. The registration shall be valid while the vehicle is owned and operated by the licensee.

(b) If a vehicle is replaced, reassignment of plate to replacement vehicle shall be made with payment of \$1.

Note: Chapter 320, laws of 1967, which created sub. (2m), also repealed the old sub. (2) (a). It further provided that both actions are to take effect January 1, 1969.

(3) In recognition of the relationship of the basic economy of the state to agriculture and the production and marketing of milk, there shall be paid to the department for the annual registration of the following vehicles the fees prescribed in this subsection:

(a) For each farm truck having a gross weight of 10,000 pounds or less, a fee of \$12, of which \$2 is to be allotted as provided in s. 20.395 (2) (xa), (4) (xc), (6) (u) and (7) (u) and such \$2 shall not be considered a portion of the net registration fee under s. 86.35. For each farm truck having a gross weight of more than 10,000 pounds, a fee which is one-fourth of the fee prescribed by s. 341.25, without regard to the \$2 additional fee prescribed in s. 341.25 (2) (intro. par.), for a motor truck of the same gross weight, plus \$2, which \$2 shall be allotted as provided in s. 20.395 (2) (xa), (4) (xc), (6) (u) and (7) (u) and such \$2 shall not be considered a portion of the net registration fee under s. 86.35:

(b) For each farm trailer having a gross weight of more than 8,000 pounds but less than 12,000, a fee of \$5; for each farm trailer having a gross weight of 12,000 pounds or more, a fee which is one-half of the fee prescribed by s. 341.25 for a motor truck of the same gross weight;

(c) For each motor vehicle used exclusively in the transportation of milk from the point of production to the primary market, and the return of dairy supplies and dairy products from such primary market to the farm, a fee to be determined in accordance with par. (g) on the basis of maximum gross weight;

(d) For each motor vehicle used exclusively in the transportation of cheese, butter and powdered milk when such cheese, butter and powdered milk are transported from plant to plant or to warehouses within this state and are transported by vehicles registered at a gross weight of not more than 20,000 pounds, a fee to be determined in accordance with par. (g) on the basis of maximum gross weight.

(da) For each motor vehicle used exclusively in the transportation of liquid dairy products, a fee to be determined in accordance with par. (g) on the basis of maximum gross weight.

(e) A person owning and operating more truck tractors than semitrailers registered by him within this state and used exclusively for transporting liquid dairy products may register such excess truck tractors at the annual fees specified in par. (g), provided that he uses such excess truck tractors exclusively with such semitrailers. The fee shall be determined on the basis of weight of the truck tractor only.

(f) In pars. (d) and (e), "Liquid dairy products" means milk and products of milk in liquid form, including without limitation because of enumeration, condensed and sweetened condensed products of milk, both in raw and pasteurized form.

(g) The following schedule shall be used in determining fees for vehicles registered pursuant to par. (e), (d) or (e), but each fee shall be increased by \$2 to be allotted as provided in s. 20.395 (2) (xa), (4) (xc), (6) (u) and (7) (u) and such \$2 shall not be considered a portion of the net registration fee under s. 86.35:

Max. gross weight in pounds	Annual fee
Not more than 3,000	\$ 16
Not more than 4,500	20
Not more than 6,000	24
Not more than 8,000	33
Not more than 10,000	54
Not more than 12,000	69
Not more than 14,000	84
Not more than 16,000	99
Not more than 18,000	114

Not more than 20,000.....	129
Not more than 22,000.....	144
Not more than 24,000.....	159
Not more than 26,000.....	174
Not more than 28,000.....	189
Not more than 30,000.....	210
Not more than 32,000.....	225
Not more than 34,000.....	240
Not more than 36,000.....	255
Not more than 38,000.....	270
Not more than 40,000.....	285
Not more than 42,000.....	300
Not more than 44,000.....	321
Not more than 46,000.....	336
Not more than 48,000.....	351
Not more than 50,000.....	366
Not more than 52,000.....	381
Not more than 54,000.....	396
Not more than 56,000.....	411
Not more than 58,000.....	426
Not more than 60,000.....	441
Not more than 62,000.....	462
Not more than 64,000.....	483
Not more than 66,000.....	504
Not more than 68,000.....	525
Not more than 70,000.....	546
Not more than 71,500.....	558
Not more than 72,000.....	570
Not more than 73,000.....	600

(h) Except as otherwise provided in par. (e) the maximum gross weight of each vehicle, the registration fee for which is to be determined in accordance with sub. (3) shall be computed as provided in s. 341.25 for the same type of vehicle.

(4) Except for those vehicles that qualify for registration under sub. (1) (a) to (e), any motor vehicle, trailer or semitrailer, if operated empty, or used exclusively in transporting the equipment of the owner to or from a certain location over the highways, when such operation at the location is exclusively for grading, ditching or excavating or when such equipment is used exclusively for seasonal hauling of carnival rides and equipment, shall be registered at one-fourth of the fee specified in s. 341.25 (2) for vehicles or combinations of vehicles of the same gross weight.

(5) TOUR TRAINS. For each tour train, the operation of which is limited in s. 348.08 (1) (c), a single fee for the 3 or less units thereof equal to one-half of the fee prescribed in s. 341.25 (1) (h) for a motor bus of the same maximum gross weight as the aggregate maximum gross weight of all units of the tour train, excluding the propelling motor vehicle, when such gross weight is computed as prescribed in s. 341.25 (1) (h).

History: 1961 c. 532, 647; 1963 c. 202, 503; 1965 c. 232, 499; 1967 c. 49, 98, 291 s. 14; 1967 c. 320.

341.265 Antique motor vehicles; registration, plates, use. Any person who is a resident of this state and the owner (and any subsequent transferee) of a motor vehicle which is more than 40 years old at the time of making application for registration of the vehicle may upon application register the same as an antique vehicle upon payment of a fee of \$5, and be furnished license plates of a distinctive design, in lieu of the usual license plates, which shall show in addition to the identification number that the vehicle is an antique. The registration shall be valid while the vehicle is owned by the applicant without the payment of any additional fee. The vehicle shall only be used for special occasions such as display and parade purposes. Unless inconsistent with this section, the provisions applicable to other motor vehicles shall apply to antique motor vehicles.

341.27 Registration periods for private automobiles and taxicabs. (1) All automobiles other than those that may be registered under s. 341.265 or are required by s. 341.29 to be registered on a calendar-year basis shall be registered by the department according to the monthly series system of registration prescribed by this section.

(2) There are established 12 registration periods, each to be designated by a calendar month and to start on the first day of such month and end on the last day of the twelfth month from the date of commencing. The department shall so administer the monthly

series system of registration as to distribute the work of registering automobiles as uniformly as practicable throughout the calendar year.

(3) All automobiles subject to registration under the monthly series system shall be registered by the department for a period of 12 consecutive calendar months except as follows:

(a) If the applicant holds current registration plates which were removed from an automobile of which he no longer is the owner, or which has been junked, and such plates were issued to him 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.

(b) If the applicant does not hold current registration plates under the circumstances described in par. (a) and the application is an original rather than renewal application, the department may register the automobile which is the subject of the application for such period or part thereof as the commissioner determines will help to equalize the registration and renewal work-load of the department.

341.28 When part-year fees payable for private automobiles; computation of part-year fees. (1) The applicant for registration of an automobile under the monthly series system shall pay in full the annual registration fee prescribed by law, except as otherwise provided in this section.

(2) If the applicant for registration holds current registration plates which were removed from an automobile of which he no longer is the owner, or which has been junked, and such plates were issued to him under the monthly series system, the applicant is exempt from the payment of a registration fee, except in the following cases:

(a) If the annual fee prescribed for the automobile being registered is higher than the annual fee prescribed for the automobile from which the plates were removed, the applicant shall pay a fee computed on the basis of one-twelfth of the difference between the 2 annual fees multiplied by the number of months for which the automobile which is the subject of the application is being registered. The start of the new registration, for the purpose of computing the fee, shall be determined in accordance with sub. (7).

(b) If the automobile which is the subject of the application was owned by the applicant at the time of and on or before the 15th day of the month in which the transfer or junking of the other automobile occurred and was not currently registered at the time of such transfer or junking, the applicant shall pay a fee to be computed as provided in subs. (3) to (5) but he shall receive a credit for the unused portion of the current registration. Such credit shall be computed on the basis of one-twelfth of the annual fee paid for the vehicle from which the plates were removed multiplied by the number of months remaining in the registration period represented by the removed plates, including the month during which the applicant transferred or junked the automobile from which the plates were removed if such transfer or junking occurred on or before the 15th day of the month.

(3) If the applicant does not hold current registration plates under the circumstances described in sub. (2) and the automobile which is the subject of the application has not previously been registered in this state by the applicant, the fee payable by the applicant shall be computed on the basis of one-twelfth of the annual fee multiplied by the number of months for which the automobile is being registered, the start of such registration period to be determined in accordance with sub. (7).

(4) If the applicant does not hold current registration plates under the circumstances described in sub. (2) but the automobile which is the subject of the application has previously been registered in this state by the applicant, he shall pay a fee covering all the time since the end of the period for which the automobile previously was registered unless:

(a) The automobile in the meantime has been owned by another person or registered in another state; or

(b) At least 12 months have elapsed since the end of the period for which the automobile previously was registered and the applicant filed with the department a statement that he did not during those 12 months operate or consent to the operation of such automobile under circumstances making the automobile subject to registration in this state; or

(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.

(5) Under the circumstances described in sub. (4), the fee payable by the applicant shall be computed as prescribed in sub. (3) for an automobile not previously registered by him in this state, provided that he first files with the department a statement of nonoperation if required to do so by sub. (7).

(6) If the automobile being registered under the circumstances described in sub. (3) or (4) is a replacement for a registered vehicle which has been junked, the applicant is entitled to a credit to be computed and applied in accordance with s. 341.31 (2) (b).

(7) For the purpose of computing the registration fee payable upon registration of an automobile under circumstances described in subs. (2) to (4), the beginning of the current registration period shall be determined as follows:

(a) If the first operation of an automobile under circumstances making the owner liable for its registration in this state occurs on or before the fifteenth day of a given month, the registration period commences on the first day of such month. If the first operation occurs on or after the sixteenth day of a given month, the registration period commences on the first day of the following month. "First operation" means operation of an automobile for the first time after it was transferred to the applicant or after it was registered in another state or after an active service refund or after the expiration of 12 months of nonoperation since expiration of the last registration in this state.

(b) In the case of an automobile which has not previously been registered or which has not been registered in this state by the present owner since he last acquired ownership of the automobile, the department shall assume that the date of first operation within the meaning of par. (a) is the date of the bill of sale evidencing the transfer of ownership to the applicant unless the applicant files with the department a statement that the automobile was not so operated until a later date, specifying the date of such first operation. In the case of at least 12 months of nonoperation of an automobile previously registered by the applicant, he must file with the department a statement that he did not operate or consent to the operation of his automobile under circumstances making it subject to registration in this state during such 12-month period and must specify the date following such period when the automobile was first so operated. The department may refuse to accept a statement which projects the date of first operation into the future.

History: 1961 c. 662; 1965 c. 350.

341.29 Registration for vehicles other than private automobiles and taxicabs. (1) Annual registration for all vehicles other than private automobiles and taxicabs, shall be for the calendar year and expire on December 31 of the year for which the vehicle is registered. The department shall take the necessary action to make the change not later than January 1, 1963.

(2) If an application for registration of a vehicle subject to registration on a calendar year basis is received after November 30 and the vehicle is not registered in this state at the time of application and the applicant desires to register for the succeeding registration period as well as for the remainder of the current period, the department upon registering the vehicle shall issue registration plates designed for the succeeding registration period rather than for the current period. Such plates also serve during the remainder of the current registration period as lawful evidence of the registration of the vehicle. This subsection does not affect computation of fee payable by the applicant.

History: 1961 c. 99.

341.30 Quarterly registration. (1) Any of the following vehicles except vehicles registered under s. 341.305 may be registered on a quarterly basis in lieu of the annual registration specified in s. 341.29.

(a) A motor bus having a registered gross weight of more than 8,000 pounds, except motor busses registered under s. 341.26 (2) (d) and (h);

(c) A motor truck, road tractor or trailer having a registered gross weight of more than 8,000 pounds;

(d) A truck tractor, when the aggregate combined registered gross weight of the truck tractor and any semitrailer operated in conjunction with it is more than 8,000 pounds;

(e) Any of the vehicles subject to registration under s. 341.26 (3) (e), (d) or (e) having a registered gross weight of more than 8,000 pounds.

(2) For the purpose of quarterly registration of vehicles, the quarters are January 1, April 1, July 1, and October 1. A registration made on a quarterly basis expires on the last day of the quarter for which the vehicle is registered.

(3) The quarterly registration fee is one-fourth of the annual fee plus \$1. The registration period starting July 1, 1962 and ending December 31, 1962 shall be considered as a full registration period and a vehicle shall be exempt from the \$1 quarterly charge if the initial payment of fees registers the vehicle through December 31, 1962. The department shall register a vehicle subject to quarterly registration for as many quarters less than a full year as the applicant desires, but the fee payable for each quarter shall be

computed as provided in this subsection. If satisfactory evidence is provided that a vehicle was not operated on the highways during any quarter it shall be exempt from the payment of fees for the quarter in which it was not used.

History: 1961 c. 99; 1963 c. 550; 1965 c. 515.

341.305 Monthly registration. (1) Any motor truck, or truck tractor used exclusively to transport logs or pulpwood, dirt, fill, or aggregates or fresh milk or to transport perishable fresh fruits or vegetables for canning or freezing, including return of waste, may be registered on a monthly basis in lieu of the annual registration specified in s. 341.29. The monthly registration fee is one-twelfth of the annual fee. Monthly registration periods begin on the first day of each calendar month and end on the last day of the month. The department shall register a vehicle under this section for as many months less than a full year as the applicant desires, and the fee payable shall be the monthly registration fee times the number of months for which registration is desired plus \$2. If satisfactory evidence is provided that a vehicle was not operated on the highways during any month it shall be exempt from the payment of fees for the month in which it was not used.

(2) Any truck tractor or motor vehicle equipped with a dump or other box used exclusively to transport gravel, cement, and bituminous road construction materials or agricultural lime or equipped with a mechanical cement mixer used exclusively to mix and deliver cement may be registered on a monthly basis in lieu of the annual registration specified in s. 341.29. The monthly registration fee is one-twelfth of the annual fee. Monthly registration periods begin on the first day of each calendar month and end on the last day of the month. The department shall register a vehicle under this section for as many months less than a full year as the applicant desires, and the fee payable shall be the monthly registration fee times the number of months for which registration is desired plus \$2. If satisfactory evidence is provided that a vehicle was not operated on the highways during any month it shall be exempt from the payment of fees for the month in which it was not used.

History: 1963 c. 550; 1965 c. 515, 601; 1967 c. 116.

341.31 When part-period fees payable for vehicles other than automobiles; computation of part-period fees. (1) The annual registration fee shall be paid in full on all vehicles registered pursuant to s. 341.29 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):

- (a) The vehicle has not previously been registered in this state; or
- (b) The vehicle previously was registered in this state but:

1. The vehicle in the meantime has been registered in another jurisdiction and such foreign registration was in effect during or subsequent to the expiration of the previous registration in this state; or

2. The vehicle was transferred to the applicant after the expiration of the last registration in this state; or

3. At least 12 months have elapsed since the end of the period for which the vehicle previously was registered and the applicant files with the department a statement that he did not, during such 12-month period, operate or consent to the operation of the vehicle under circumstances making the vehicle subject to registration in this state; or

- (c) The vehicle is a replacement for a registered vehicle which has been junked; or

(cm) The vehicle is a replacement for a registered vehicle eligible for quarterly registration under s. 341.30 which has been traded, sold or removed from this state but for which the annual registration fee has been paid; or

(d) The vehicle is owned by a person who received a refund pursuant to s. 341.33 (3) because of active military service and the vehicle has not been operated since such refund was granted.

(2) Part-period registration fees shall be computed as follows:

(a) For vehicles registered under the conditions in sub. (1) (a), (b) or (d), the fee for the current registration period shall be computed on the basis of one-twelfth of the annual registration fee prescribed for the vehicle multiplied by the number of months of the current registration period which have not fully expired on the date the vehicle first is operated by or with the consent of the applicant under circumstances making it subject to registration in this state (plus \$1, in case of a quarterly registration). In the case of a vehicle which has not previously been registered or which has not been registered in this state by the present owner since he last acquired ownership of the vehicle, the department shall assume that the date of first operation is the date of the bill of sale evidencing transfer of ownership to the applicant unless he files with the department a

statement that the vehicle was not so operated until a later date, specifying the date of such first operation. The department may refuse to accept any statement which projects the date of first operation into the future.

(b) For the registration of a replacement vehicle under the conditions set forth in sub. (1) (c) or (cm), the fee shall be computed as for a vehicle not previously registered in this state but a credit shall be allowed for the unused portion of the fee paid for the vehicle being replaced. Such credit shall be computed on the basis of one-twelfth of the annual registration fee prescribed for the vehicle being replaced multiplied by the number of months of registration which have not fully expired at the time the vehicle being replaced was junked, traded, sold or removed from the state. It is not necessary that the replacement vehicle be of the same type as the one being replaced in order for the applicant to take advantage of the credit but the credit may be applied toward registration of the replacement vehicle only up to the date when the registration of the vehicle being replaced would have expired.

(4) The transferee of a vehicle registered as provided in s. 341.29 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 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 with his consent under circumstances making it subject to registration in this state.

(5) This section does not apply to persons authorized to register vehicles at a special annual fee of \$1 or to vehicles registered at an annual fee of \$3 or less. Such vehicles, whether registered for a full period or part thereof and whether or not previously registered, shall be registered at the full annual fee. If a person authorized to register a vehicle at a special fee of \$1 transfers the vehicle to a person not so authorized, the fee payable by the transferee shall be computed as for a vehicle not previously registered in this state.

History: 1961 c. 662; 1963 c. 456; 1965 c. 350.

341.32 Vehicle to be reregistered if subject to a different fee. (1) Whenever the construction or the use of a registered vehicle is changed in a manner making the vehicle subject to a different registration fee than the fee for which the vehicle currently is registered, the owner shall immediately make application for reregistration. The fee payable upon such reregistration shall be computed as for a vehicle not previously registered in this state but a credit shall be allowed for the unused portion of the fee paid for the previous registration if the registration plates issued upon the previous registration are returned to the department. Such credit shall be computed on the basis of one-twelfth of the annual registration fee prescribed for the vehicle as previously registered multiplied by the number of months of registration which have not fully expired on the date the vehicle became subject to the different fee. The credit may be applied toward the reregistration of the vehicle only up to the date when the previous registration would have expired.

(2) Whenever the owner or other person responsible for registration of a vehicle required to be registered on the basis of gross weight desires to carry a greater load than that permitted under the current registration of such vehicle, he shall make application for reregistration of the vehicle at a higher gross weight. Whenever such person is convicted of carrying a greater load than that permitted under his current registration, the court, in addition to imposing the penalty prescribed by law, shall order such person to make application for reregistration of the vehicle at a gross weight sufficiently high to cover the load which he was convicted of carrying. The fee payable upon reregistration shall be computed on the basis of one-twelfth of the difference between the annual fee prescribed for the vehicle as previously registered and the annual fee prescribed for the vehicle as reregistered, multiplied by the number of months of the quarter or year for which the vehicle is being reregistered which had not fully expired when the vehicle became subject to the higher fee. This subsection does not apply under the circumstances stated in sub. (3).

(3) A motor truck with a registered gross weight of 10,000 pounds or less and loaded exclusively with fluid milk or cream may, during the months of May, June and July, carry from the point of production of such milk to the primary market therefor 1,500 pounds or less in excess of the gross weight for which such motor truck is registered without a reregistration of such motor truck on account of such excess loading.

History: 1961 c. 662; 1965 c. 345.

341.33 When fees refundable. (1) The department shall not refund a fee paid to it except when expressly authorized or directed by this section or some other provision of the statutes to do so.

(2) The department shall refund all except \$2 of the registration fee collected from a nonresident who acquires a vehicle in this state if the registration plates are returned to the department within 30 days after they were issued.

(3) The department shall refund the unused portion of a registration fee paid for the registration of a vehicle owned by a person who is entering active service in the naval or military forces of the United States if such person makes application for such refund upon a form prescribed by the department, furnishes such proof as the commissioner may require that the vehicle will not be operated in this or another state during the remainder of the period for which the vehicle is registered, and returns to the department his certificate of registration and registration plates. The refund shall be computed on the basis of one-twelfth of the annual registration fee paid for the vehicle multiplied by the number of full months remaining in the period for which the vehicle is registered when the vehicle ceases to be operated.

341.34 Department to certify net registration and title fees to highway commission.

(1) Not later than November 1 of each year the department shall compute the amount of the net registration and title fees derived from vehicles customarily kept in each town, village and city in the state for the fiscal year ending the previous June 30 and certify such amounts for each town, village and city to the highway commission. In such certification the amounts for each town, village and city shall be classified in the manner required for the computation of the privilege highway tax allotment as provided in s. 86.35 (1). Registration and title fees paid by a town, village or city pursuant to s. 341.26 (2) shall be credited to the town, village or city from which received. For the purpose of computing the net registration and title fees derived from vehicles customarily kept in any particular town, village or city, the status and boundaries of that town, village or city shall be determined as of January 1 of the fiscal year for which the fees are being computed.

(2) Whenever through erroneous information furnished the department or through a mistake in computation, a town, village or city has received credit for an incorrect portion of the registration and title fees, the commissioner shall certify to the highway commission the fiscal year and the names of units of government involved and the amount of such error, classified in the manner required for the computation of the privilege highway tax allotment as provided in s. 86.35 (1). The commissioner may issue a corrected certification either upon complaint or upon his own motion but any such certification issued more than 3 years after the close of the fiscal year to which the error applies is void unless a complaint was received prior to the expiration of the 3 year period.

341.35 Municipal vehicle registration fee. (1) **ANNUAL REGISTRATION FEE.** In this section "municipality" means a town, village or city and "motor vehicle" means an automobile or station wagon. The governing body of a municipality may enact an ordinance imposing an annual flat municipal registration fee on all motor vehicles registered in this state and which are customarily kept in the municipality, which fee shall be in addition to state registration fees but not more than 50% of the state registration fee.

(2) **EXEMPTIONS.** The following vehicles are exempted from any municipal vehicle registration fee:

(a) All vehicles exempted by this chapter from payment of a state vehicle registration fee.

(b) All vehicles registered by the state under this chapter for an annual fee of less than \$5.

(3) **SITUS; PLACE OF PAYMENT.** A motor vehicle shall be recorded as customarily kept in the city, village or town which receives the tax distribution attributable to such vehicle under s. 341.34 (1). The municipal vehicle registration fee shall be paid to the treasurer of the municipality. A municipal vehicle registration fee paid to one unit of government on any vehicle shall be valid in all other units of government through the date for which originally paid, if no change of ownership or registration occurs in such period.

(4) **NOTICE OF FEES.** A municipal governing body which enacts a municipal vehicle registration fee shall notify the department that it has so elected and report the amount of such fee. The municipality shall report any change in such amount to the department. The notification shall be made at the time and in the form prescribed by the department.

(5) NOTICE AND PAYMENT OF FEE. (a) The department shall require evidence of payment of the municipal vehicle registration fee on all vehicles subject thereto as a condition of registration under this chapter.

(b) Prior to the return of his registration renewal application to the department, the applicant shall pay the municipal vehicle registration fee to the municipal treasurer, who shall record on the registration renewal application or on a separate statement, if required by the department, the fact that the municipal vehicle registration fee has been paid.

(c) The department shall refuse an original or renewal application for registration unless the application bears an authentic indication that the municipal vehicle registration fee has been paid. The department may provide for temporary original registrations for such periods as are necessary to permit payment thereof to the local treasurer.

(d) The department shall establish uniform specifications for all receipts and payment stamps used by a municipality in certifying payment of this tax.

(6) REIMBURSEMENT. At the end of each calendar year the department shall determine the average cost of preparing and submitting the information required by this section for a vehicle, and shall bill each municipality levying such a fee for the number of vehicles registered therein. The municipality shall reimburse the state for such administrative costs.

(7) REPLACEMENTS. No municipal vehicle registration fee may be imposed on a motor vehicle which is a replacement for a motor vehicle for which a current municipal vehicle registration fee has been paid.

History: 1967 c. 209.

EXEMPTION OF NONRESIDENTS.

341.40 Exemption of nonresidents and foreign-registered vehicles. (1) Except as to foreign-owned vehicles required by s. 341.07 to be registered in this state, any vehicle which is registered in another jurisdiction is exempt from the laws of this state providing for the registration of such vehicles if:

(a) The vehicle carries a registration plate indicating the registration in such other jurisdiction; and

(b) The vehicle is owned by a nonresident; and

(c) The jurisdiction in which the vehicle is registered allows such vehicles when registered in Wisconsin to be operated tax free upon its highways under conditions substantially as favorable to residents of Wisconsin as to its own residents.

(d) The vehicle is operated in accordance with rules adopted by the commissioner based on the gross weight of the vehicle. These rules may also establish procedures for the issuance of blanket fleet reciprocity authorization in lieu of individual vehicle certificates of registration prescribed in s. 341.42 (3). The commissioner may, by rule, determine the gross weight exemption giving consideration to reciprocity privileges extended to Wisconsin residents in other jurisdictions. Foreign owned or operated vehicles entering Wisconsin to have special equipment or a body constructed or installed or for repair shall be exempt from the registration requirements of this section.

(2) If the owner of any such vehicle moves to Wisconsin or if the vehicle is purchased by a Wisconsin resident, the vehicle immediately becomes subject to the laws of this state providing for the registration of vehicles.

History: 1967 c. 98.

341.41 Reciprocity agreements authorized. (1) The commissioner with the approval of the governor is authorized to enter into reciprocal agreements with the responsible officers of other jurisdictions as to licenses, permit fees, mileage and flat taxes under which motor vehicles, trailers, or semitrailers properly licensed or registered in other jurisdictions may be operated in interstate commerce in this state without a Wisconsin registration or the payment of permit fees or mileage or flat taxes, provided like privileges are accorded to vehicles owned by Wisconsin residents when operated in such other jurisdictions. Such agreement may include such restrictions, conditions and privileges, including any proportional registration, taxes or fees, as are deemed advisable. Such agreement shall provide that a resident of this state when using the highways of such other jurisdiction shall receive exemptions of a similar kind to a like degree.

(2) A nonresident operating a vehicle in this state is not exempt by virtue of any reciprocity agreement entered into pursuant to sub. (1) unless:

(a) The vehicle is properly registered in the jurisdiction of the residence of its owner, its domicile, or the principal place of business of its owner or is registered on a proportional registration basis pursuant to an interstate compact; and

(b) The vehicle has conspicuously displayed upon it a valid registration plate; and

(c) The operator of the vehicle has in his possession a valid registration certificate or other evidence that the vehicle is properly registered; and

(d) If the vehicle is subject to s. 341.42, the vehicle has displayed upon it an identification plate or decal indicating that a reciprocity permit has been issued.

(3) If the laws of another jurisdiction impose upon the vehicles of residents of this state any taxes, fees, charges, penalties, obligations, restrictions, prohibitions or limitations of any kind additional to those imposed by this state upon the vehicles of residents of such other jurisdiction the commissioner with the approval of the governor is authorized to impose and collect fees or charges in like amount and to provide for similar obligations, prohibitions or limitations upon the owner or operator of a vehicle registered in such other jurisdiction so long as the laws of such other jurisdiction requiring such imposition remain in effect.

(4) Trailers and semitrailers owned by residents of a jurisdiction with which a reciprocal agreement is in effect pursuant to this section may be operated in commerce by a Wisconsin resident in Wisconsin without the payment of fees or ton mile on flat taxes when such trailers or semitrailers are operated in exchange for trailers or semitrailers or are operated in accordance with rules adopted by the commissioner respecting the interchange of equipment. When used in railroad trailer-on-flat-car service, foreign licensed trailers or semitrailers may be operated in commerce in Wisconsin without the payment of permit or registration fees.

(5) In this section, "proportional registration, taxes or fees" means the registration of a portion of the vehicles or the payment of a portion of the taxes or fees in Wisconsin and a portion in the reciprocating jurisdiction in a general ratio or proportion based on the total number of miles traveled by the owner or operator in the reciprocating jurisdictions.

(6) The commissioner is authorized to accept proportional registration of a fleet of 3 or more vehicles of any duly authorized common carrier of passengers as defined in s. 194.01 (5), operating such fleet in interstate commerce or jointly in interstate and intrastate commerce in this state, if he is satisfied prior to the approval of such proportional registration that this state will obtain a fair and equitable share of license registrations of the vehicles comprising such fleet. Such proportional registration shall be accomplished either by payment, to the motor vehicle department, of registration fees in an amount equal to that obtained by applying the proportion of in-state fleet miles divided by the total fleet miles to the total fees which would otherwise be required for the registration of each and all such vehicles in this state, or by registration of a portion of such vehicles as above determined.

(7) Except as to foreign owned vehicles required by s. 341.07 to be registered in this state, vehicles owned or operated by a nonresident in interstate movement may be qualified by advance purchase of a trip permit which authorizes operation for a 72-hour period when the vehicle is not eligible for reciprocal privileges. The fee for such trip permits shall be determined by the commissioner. The commissioner shall make rules and regulations for the issuance and use of such permits.

(8) Residents of the state operating a fleet of 3 or more units consisting of trucks, truck tractors or road tractors with a gross weight of not less than 12,000 pounds shall display Wisconsin license plates for which 100% of the fee has been paid on vehicles not exempt from Wisconsin registration and operated in intrastate commerce. Vehicles engaged in interstate commerce may display Wisconsin prorate license plates for which a proportional registration fee has been paid in addition to a full fee license plate from another jurisdiction. Such proportional registration shall be accomplished either by payment to the department of registration fees in an amount equal to that obtained by applying the proportion of in-state fleet miles divided by the total fleet miles to the total fees which would otherwise be required for the registration of all such vehicles in this state, or by registration of a portion of such vehicles as determined under this subsection. The commissioner may refuse to permit any or all of such vehicles to be registered under apportionment if he is not satisfied that this state will obtain a fair and equitable share of license registrations of the vehicles comprising such fleet.

History: 1967 c. 98.

341.42 Reciprocity permits. (1) An operator or owner of a motor truck, road tractor, truck tractor or motor bus having a gross weight as determined in s. 341.40 (1) (d) is not eligible to receive reciprocity privileges under an agreement entered into pursuant to s. 341.41 unless he has made application for and been issued a non-resident reciprocity permit pursuant to this section.

(2) Application shall be made to the department upon a form prescribed by it and shall be subscribed by the applicant. The application shall contain the name and

address of the owner and such other information as the department requires to enable it to determine whether the applicant is entitled to a permit.

(3) Upon receipt of a properly completed application form and upon being satisfied that the applicant is entitled to reciprocity privileges, the department shall issue to the applicant a permit for each vehicle for which application is made. The permit shall be in the form of a certificate of registration. If reciprocity between this state and the other jurisdiction ceases to exist, the department shall forthwith cancel all permits issued to residents of that jurisdiction.

(4) Upon being issued a reciprocity permit, the permittee shall display such permit in the cab of his motor truck, road tractor, truck tractor or motor bus. Any person who operates on a highway in this state, and any owner who consents to the operation of, a vehicle for which a reciprocity permit has been issued without displaying such permit as required by this subsection may be fined not more than \$200 or imprisoned not more than 6 months or both.

(5) The owner and operator of a vehicle for which a reciprocity permit has been issued is entitled to any reciprocity privileges which may be granted under a reciprocity agreement as long as the permit remains in effect. A permit expires upon transfer of the vehicle for which it is issued. Any person who operates or any owner who consents to the operation in this state of a vehicle for which a reciprocity permit is required when such permit has not been obtained for the vehicle or when such permit has been canceled or for any other reason is void is subject to the penalty for operating an unregistered vehicle and, in addition, the court shall order the offender to immediately register such vehicle as a Wisconsin resident vehicle.

(6) If the operator or owner of a vehicle for which a reciprocity permit has been issued is convicted a second or subsequent time of violating the weight limitations imposed by s. 348.15 or 348.16, the department shall cancel the permit of such owner or operator and order him to pay the same taxes and fees for a period of one year as is required under chs. 194 and 341 for like vehicles owned by residents of this state.

History: 1961 c. 98; 1967 c. 98.

REGISTRATION OF DEALERS, DISTRIBUTORS, MANUFACTURERS, TRANSPORTERS,
AND FINANCE COMPANIES.

341.47 When vehicles of dealers, distributors, manufacturers and transporters exempt from general registration requirements. (1) Except as provided in sub. (2), any motor vehicle, mobile home, trailer or semitrailer owned or repossessed by a dealer, distributor or manufacturer may be operated on the highways of this state for either private or business purposes without being registered if such vehicle has displayed upon it valid registration plates issued pursuant to s. 341.51 to the dealer, distributor or manufacturer who is the owner of the vehicle or holder of the repossessed vehicle and such vehicle:

- (a) Is actually offered for sale by a dealer, distributor or manufacturer; or
- (b) Is in transit from the factory to a distributor or dealer or from the dealer to the purchaser; or
- (c) Is being used by a manufacturer primarily for trial tests; or
- (d) Is being repossessed, being reconditioned for resale or being foreclosed or resold.

(2) A tow truck, service truck or pickup truck owned by a dealer, distributor or manufacturer must be registered in the same manner as similar vehicles owned by other persons, except that a service or pickup truck actually for sale and only incidentally used for business purposes may be operated under the conditions specified in sub. (1).

(3) A vehicle which is being transported in tow on its own wheels or under its own power from the manufacturer to the distributor, dealer or branch of the manufacturer, or from the distributor or dealer to another distributor or dealer or to the manufacturer or branch of the manufacturer, or from the branch of the manufacturer to the distributor, dealer or manufacturer by a transporter of vehicles need not be registered if such vehicle has displayed upon it valid registration plates issued to the transporter pursuant to s. 341.51.

341.51 When department to register dealer, distributor, manufacturer or transporter; application. (1) The department shall register a person as a dealer, distributor or manufacturer of motor vehicles, trailers or semitrailers or as a transporter of vehicles upon receipt of a properly completed application form together with a fee of \$25 and upon being satisfied that the applicant is by law entitled to be registered. The department shall register a person as a dealer, distributor or manufacturer of mobile homes upon receipt of a properly completed application form together with a fee of \$2 and upon being satisfied that the applicant is by law entitled to be so registered. The depart-

ment shall assign to each person registered under this section a distinctive registration number and shall issue to him a certificate of registration bearing the registration number assigned.

(2) Upon registering a dealer, distributor, manufacturer or transporter the department also shall issue to him a registration plate. The department, upon receiving a fee of \$1 for each additional plate desired by a dealer, distributor or manufacturer of motor vehicles, trailers or semitrailers, \$2 for each additional plate desired by a dealer, distributor or manufacturer of mobile homes and \$3 for each additional plate desired by a transporter shall issue to such registered dealer, distributor, manufacturer or transporter such additional plates as he orders.

(2m) A truck dealer, distributor or manufacturer, in case of trucks over 8,000 pounds, may purchase a license for demonstration purposes under s. 341.25 to determine the gross weight. Such license shall be a transferable license for demonstration purposes and shall be 20 per cent of the registration fee set forth in s. 341.25. In case of trailers and semitrailer demonstrations, the license fee shall be \$10 and shall belong to the demonstrator. Such demonstration vehicles shall carry insurance on behalf of the truck dealer, distributor or manufacturer and the prospective purchaser as provided in s. 194.41. Such vehicle need not obtain for-hire permits as provided in ch. 194. Such vehicle shall not be used by the prospective purchaser for more than 10 days. When the vehicle is obtained from a dealer the prospective purchaser shall sign a receipt showing the date, time and place the vehicle was obtained from the dealer. The dealer shall keep a record of such demonstrations and such record shall be open to inspection by the department. The department may issue any further rules to accomplish the intent of this subsection.

(3) When a dealer, distributor, manufacturer or transporter has an established place of business in more than one Wisconsin municipality, he shall make separate applications for each such municipality. The department shall assign a different registration number, issue a separate certificate of registration and charge a separate registration fee for each such municipality.

(4) Except as provided in sub. (6), every dealer, distributor and manufacturer shall file with the department and every transporter may file with the department a duly acknowledged application for registration which shall contain:

(a) The name under which the applicant is transacting business within the state.

(b) If the applicant is a partnership, the names and addresses of the several persons constituting the partnership.

(c) If the applicant is a corporation, the corporate name under which it is authorized to transact business and the names and addresses of its principal officers, resident general agent and attorney in fact.

(d) The place or places of business of the applicant which, in the case of a dealer, distributor or manufacturer, must be an established place of business.

(e) If the applicant is a dealer, distributor or manufacturer, whether he is engaged in wholesale or retail selling or both.

(5) Except as provided in sub. (6), any dealer, distributor or manufacturer engaged in business in this state who fails to apply for registration or fails to apply for separate registrations for each Wisconsin municipality in which such dealer, distributor or manufacturer has an established place of business may be fined not more than \$200 or imprisoned not more than 6 months or both.

(6) A person licensed under s. 218.01 as a dealer, distributor or manufacturer of only power driven cycles or motor bicycles may, but need not, apply for registration under this section.

History: 1961 c. 175, 560 s. 10.

341.52 Design of registration plates. Registration plates for dealers, distributors, manufacturers and transporters are subject to the provisions of s. 341.12 (2) and (3). In addition, each plate shall have displayed upon it a symbol capable of distinguishing it from any other plate which may be issued to the same dealer, distributor, manufacturer or transporter. Plates issued to transporters also shall have displayed upon them the words "IN TRANSIT".

341.53 Expiration of registration; transferability of plates. Certificates of registration and registration plates issued to dealers, distributors, manufacturers or transporters shall be issued for the calendar year and are valid only during the calendar year for which issued. Registration plates are transferable from one motor vehicle, trailer or semitrailer to another motor vehicle, trailer or semitrailer and from one mobile home to another.

341.55 Penalty for misuse of plates. Any of the following may be fined not more than \$200 or imprisoned not more than 6 months or both:

(1) A dealer, distributor or manufacturer or an employe of any of them who operates or consents to the operation of a vehicle under purported authority of a registration plate issued to the dealer, distributor or manufacturer pursuant to s. 341.51 when such vehicle is not owned or being repossessed by the dealer, distributor or manufacturer or, even though owned or being repossessed by the dealer, distributor or manufacturer, does not come within any of the exceptions listed in s. 341.47 (1) (a) to (d);

(2) Any person who operates a vehicle under purported authority of a registration plate issued to a dealer, distributor or manufacturer pursuant to s. 341.51, knowing that such vehicle is not owned or being repossessed by a dealer, distributor or manufacturer or does not come within any of the exceptions listed in s. 341.47 (1) (a) to (d);

(3) Any transporter who operates a vehicle under purported authority of a registration plate issued to him pursuant to s. 341.51 for any purpose other than that authorized by s. 341.47 (3);

(4) Any person not registered as a transporter who operates a vehicle under purported authority of a registration plate issued pursuant to s. 341.51 to a transporter.

341.57 Registration of finance companies and banks. (1) Any motor vehicle owned or being repossessed by a finance company licensed under s. 138.09 or 218.01, or by a state bank or a national bank with offices in this state, may be operated on the highways of this state for any necessary purpose in repossessing, reconditioning or reselling such vehicle without such vehicle being registered if the vehicle has displayed upon it a valid registration plate issued to such licensee pursuant to this section.

(2) A finance company licensed under s. 138.09 or 218.01, or a state bank or a national bank with offices in this state, may apply to the department for registration on such form as the department provides. Upon receipt of the application together with a registration fee of \$25, the department shall register the applicant and shall issue one registration plate containing the registration number assigned to the applicant. The department upon receiving a fee of \$1 for each additional plate desired by the applicant shall issue such additional plates as the applicant orders. Section 341.52 applies to the design of the plates. The registration and plates are valid only during the calendar year for which issued. Plates are transferable from one motor vehicle to another.

(3) Any of the following may be fined not more than \$200 or imprisoned not more than 6 months or both:

(a) Any person who makes a false statement in an application for registration under this section.

(b) Any person who uses a plate issued pursuant to this section otherwise than as authorized by this section.

(c) Any person other than the registered owner thereof who uses a plate issued pursuant to this section.

(4) Upon conviction of a licensee under sub. (3), the department may revoke or suspend the registration of the licensee and require surrender of the licensee's registration plates issued pursuant to this section.

History: 1967 c. 92, 229.

PENALTY FOR FRAUDULENT PRACTICES.

341.60 Fraudulent application for registration or license. Any person who gives a false or fictitious name or address in an application for license or registration or who makes application for license or registration in the name of a person other than the true owner, or true owner and lessee, may be fined not more than \$200 or imprisoned not more than 6 months or both.

History: 1961 c. 560 s. 16.

341.61 Improper use of evidence of registration. Any person who does any of the following may be fined not more than \$200 or imprisoned not more than 6 months or both:

(1) Lends to another a registration plate, knowing that the person borrowing the plate is not authorized by law to use it; or

(2) Displays upon a vehicle a registration plate not issued for such vehicle or not otherwise authorized by law to be used thereon.

(3) Wilfully twists, paints, alters or adds to or cuts off any portion of a registration plate or sticker; or who places or deposits, or causes to be placed or deposited on such plate or sticker any substance to hinder the normal reading of such plate; or who defaces, disfigures, changes or attempts to change any letter or figure thereon.

341.62 False evidence of registration. Whoever operates or has in his possession a motor vehicle, mobile home, trailer or semitrailer having attached thereto any plate or similar device fashioned in imitation of or altered so as to resemble the current registration plate issued by the department may be fined not more than \$200 or imprisoned not more than 6 months or both.

341.63 When registration to be suspended. (1) The commissioner shall suspend the registration of a vehicle when:

(a) The registration was completed through fraud or error and the person who registered the vehicle does not or cannot register the vehicle properly; or

(b) The required fee has not been paid and the same is not paid upon reasonable notice and demand.

(2) Any registration suspended pursuant to this section continues to be suspended until reinstated by the commissioner. The commissioner shall reinstate the registration when the reason for the suspension has been removed.

(3) Whenever the registration of a vehicle is suspended pursuant to this section, the owner or person in possession of the registration plates shall forthwith return them to the department. A person who fails to return the plates as required by this section may be fined not more than \$200 or imprisoned not more than 6 months or both.