

1993 Assembly Bill 1098

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## 1993 WISCONSIN ACT 405

AN ACT to create 23.33 (2) (b) 2m, 23.35, 30.51 (2) (a) 3m and 350.12 (2) (bm) of the statutes, relating to: reciprocal registration exemption agreements for boats, snowmobiles and all-terrain vehicles.

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

**SECTION 1.** 23.33 (2) (b) 2m of the statutes is created to read:

23.33 (2) (b) 2m. Covered by a valid registration of a federally recognized American Indian tribe or band, if all of the following apply:

a. The registration program of the tribe or band is covered by an agreement under s. 23.35.

b. The all-terrain vehicle displays the registration decal required by the tribe or band.

c. The all-terrain vehicle has not been, for more than 15 consecutive days, in that portion of this state that is outside the boundaries of the reservation where it is registered.

**SECTION 2.** 23.35 of the statutes is created to read:

**23.35 Reciprocal registration exemption agreements for federally recognized American Indian tribes and bands.** (1) The secretary shall enter into a reciprocal agreement with a federally recognized American Indian tribe or band in this state to exempt, from the registration and certification requirements of this state, boats, snowmobiles and all-terrain vehicles that are owned by tribal or band members and registered under a registration program established by the tribe or band if the tribe or band requests the agreement and if the registration program does all of the following:

(a) Requires that boats, snowmobiles and all-terrain vehicles display decals or identification numbers showing valid registration by the tribe or band.

(b) Employs registration decals and certificates of number that are substantially similar to those employed by the registration or certification programs of this state with regard to size, legibility, information content and placement on the boat, snowmobile or all-terrain vehicle.

(c) Employs a sequential numbering system that includes a series of letters or initials that identify the tribe or band issuing the registration.

(d) Provides all registration information to this state in one of the following ways:

1. By transmitting all additions, changes or deletions of registration information to persons identified in the agreement, for incorporation into the registration records of this state, within one working day of the addition, change or deletion.

2. By establishing a 24-hour per day data retrieval system, consisting of either a law enforcement agency with 24-hour per day staffing or a computerized data retrieval system to which law enforcement officials of this state have access at all times.

(e) Provides reciprocal exemptions, from the tribe's or band's registration requirements, for boats, snowmobiles and all-terrain vehicles registered or certified by this state that are substantially as favorable as the exemptions enjoyed by the tribe or the band under the agreement. In this paragraph, "reciprocal exemption" means an exemption under the agreement that exempts from a tribe's or band's registration requirements, for operation within the boundaries of the tribe's or band's reservation, a boat, snowmobile or all-terrain vehicle that is owned by

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a person who is not a member of the tribe or band and that is registered or certified by this state to the same extent that the agreement exempts from state registration and certification requirements, for the operation outside the boundaries of the tribe's or band's reservation, a boat, snowmobile or all-terrain vehicle that is registered by the tribe or band.

(2) An agreement entered into under sub. (1) may cover a registration program for boats, snowmobiles or all-terrain vehicles or any combination thereof.

**SECTION 3.** 30.51 (2) (a) 3m of the statutes is created to read:

30.51 (2) (a) 3m. Covered by a valid certificate of number issued under a federally approved numbering system under a registration program established by a federally recognized American Indian tribe or band, if all of the following apply:

a. The registration program of the tribe or band is covered by an agreement under s. 23.35.

b. The boat displays the identification number required by the tribe or band on each side of the forward

half.

c. The boat has not been, for more than 60 consecutive days, in that portion of this state that is outside the boundaries of the reservation where it is registered.

d. The area of this state that is outside of the reservation where it is registered is not the area in which the boat is used or will be used most during the year.

**SECTION 4.** 350.12 (2) (bm) of the statutes is created to read:

350.12 (2) (bm) Covered by a valid registration of a federally recognized American Indian tribe or band, if all of the following apply:

a. The registration program of the tribe or band is covered by an agreement under s. 23.35.

b. The snowmobile displays the registration decal required by the tribe or band.

c. The snowmobile has not been, for more than 15 consecutive days, in that portion of this state that is outside the boundaries of the reservation where it is registered.