



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 312**

May 11, 1995 - Offered by COMMITTEE ON HIGHWAYS AND TRANSPORTATION.

1 **AN ACT to repeal** 344.47; **to amend** 341.13 (3), 341.13 (3m), 341.15 (3) (a), 341.61
2 (1), 341.61 (2) and 341.61 (3); and **to create** 341.03, 341.605, 341.61 (4), 341.61
3 (5) and 341.615 of the statutes; **relating to:** fraud offenses involving evidence
4 of motor vehicle registration, operating a motor vehicle having a suspended,
5 revoked or canceled registration and providing a penalty.

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

6 **SECTION 1.** 341.03 of the statutes is created to read:

7 **341.03 Operating vehicle after suspension, revocation or cancellation**
8 **of registration. (1) PROHIBITION.** No person may operate or knowingly permit the
9 operation of a motor vehicle if the registration for that vehicle is suspended, revoked
10 or canceled under s. 144.42 (6) (d) or 342.255, ch. 344 or this chapter, or if the
11 registration for that vehicle is suspended, canceled or revoked under the law of
12 another jurisdiction.

13 **(2) PENALTIES.** (a) Any person who violates sub. (1), where the vehicle used is
14 an automobile, station wagon or any other vehicle having a gross weight rating of

1 10,000 pounds or less, as determined by the manufacturer of the vehicle, may be
2 required to forfeit not more than \$200.

3 (b) Any person who violates sub. (1), where the vehicle used is a vehicle not
4 enumerated under par. (a), may be required to forfeit not more than \$500.

5 (3) DEFENSES. (a) 1. It is a defense to a violation of sub. (1) that the person did
6 not know, and had no reason to know, that the motor vehicle registration was
7 suspended, revoked or canceled at the time of the violation.

8 2. Refusal to accept or failure to receive an order of suspension, revocation or
9 cancellation mailed by the department to the person's last-known address shall not
10 be a defense to a violation of sub. (1). If the person has changed his or her address
11 and fails to notify the department as required in s. 343.22, then failure to receive
12 notice of suspension, revocation or cancellation shall not be a defense to a violation
13 of sub. (1).

14 (b) This section does not apply if operating the motor vehicle was made
15 necessary by a situation of emergency, as determined by the court.

16 SECTION 2. 341.13 (3) of the statutes is amended to read:

17 341.13 (3) In lieu of issuing a new plate upon each renewal of registration of
18 a vehicle, the department may issue one insert tag, decal or other ~~identification~~
19 evidence of registration per vehicle to indicate the period of registration. The tag,
20 decal or other ~~identification~~ evidence of registration shall be provided by the
21 department and used only if the outstanding plate is in suitable condition for further
22 usage. A decal shall be displayed as provided in s. 341.15 (1m).

23 SECTION 3. 341.13 (3m) of the statutes is amended to read:

1 341.13 **(3m)** In lieu of issuing new plates upon the renewal of a calendar year
2 registration under s. 341.51 or 341.57, the department may issue insert tags, decals
3 or other ~~identification~~ evidence of registration for use as provided in sub. (3).

4 **SECTION 4.** 341.15 (3) (a) of the statutes is amended to read:

5 341.15 **(3)** (a) A person who operates a vehicle for which a current registration
6 plate ~~or, insert tag, decal or other evidence of registration~~ has been issued without
7 such plate ~~or, tag, decal or other evidence of registration~~ being attached to the
8 vehicle, except when such vehicle is being operated pursuant to a temporary
9 operation permit or plate;

10 **SECTION 5.** 341.605 of the statutes is created to read:

11 **341.605 Unlawful transfer of evidence of registration.** (1) Except as
12 authorized by the department, no person may transfer to another person or offer for
13 sale a registration plate, insert tag, decal or other evidence of registration issued by
14 the department. This subsection does not apply to transfers of vehicles under s.
15 342.15 (4) (c).

16 **(2)** No person may transfer to another person or offer for sale a counterfeit,
17 forged or fictitious registration plate, insert tag, decal or other evidence of
18 registration.

19 **(3)** Whoever violates sub. (1) or (2) may be fined not more than \$5,000 or
20 imprisoned for not more than 5 years, or both, for each violation.

21 **SECTION 6.** 341.61 (1) of the statutes is amended to read:

22 341.61 **(1)** Lends to another a registration plate, insert tag, decal or other
23 evidence of registration for display upon a vehicle for which the plate, tag, decal or
24 other evidence of registration has not been issued.

25 **SECTION 7.** 341.61 (2) of the statutes is amended to read:

1 341.61 (2) Displays upon a vehicle a registration plate, insert tag, decal or other
2 evidence of registration not issued for such vehicle or not otherwise authorized by
3 law to be used thereon.

4 **SECTION 8.** 341.61 (3) of the statutes is amended to read:

5 341.61 (3) Wilfully twists, paints, alters or adds to or cuts off any portion of a
6 registration plate ~~or sticker~~, insert tag, decal or other evidence of registration; or who
7 places or deposits, or causes to be placed or deposited on such plate ~~or sticker~~, insert
8 tag, decal or other evidence of registration any substance to hinder the normal
9 reading of such plate, insert tag, decal or other evidence of registration; or who
10 defaces, disfigures, covers, obstructs, changes or attempts to change any letter or
11 figure thereon; or who causes such plate ~~or sticker~~, insert tag, decal or other evidence
12 of registration to appear to be a different color.

13 **SECTION 9.** 341.61 (4) of the statutes is created to read:

14 341.61 (4) Possesses a fraudulently or unlawfully obtained registration plate,
15 insert tag, decal or other evidence of registration.

16 **SECTION 10.** 341.61 (5) of the statutes is created to read:

17 341.61 (5) Possesses a counterfeit registration plate, insert tag, decal or other
18 evidence of registration.

19 **SECTION 11.** 341.615 of the statutes is created to read:

20 **341.615 Reproducing evidence of registration prohibited.** Except as
21 authorized by the department, any person who reproduces, by any means whatever,
22 a registration plate, insert tag, decal or other evidence of registration shall forfeit not
23 less than \$200 nor more than \$500.

24 **SECTION 12.** 344.47 of the statutes is repealed.

25 **SECTION 13. Initial applicability.**

