



State of Wisconsin
1997 - 1998 LEGISLATURE

LRB-5031/1
PEN&TNF:all:ijs

1997 ASSEMBLY BILL 882

March 5, 1998 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Highways and Transportation.

1 **AN ACT to repeal** 340.01 (61), 341.14 (6m) (b) 2., 341.14 (6r) (g) 2., 341.145 (5) (b),
2 341.264 (3), 341.28 (2) (c), 341.28 (4) (d), 341.31 (1) (b) 7., 341.31 (6) and 342.14
3 (9); **to amend** 70.112 (5), 341.03 (2) (a), 341.04 (3) (a), 341.06 (1) (am), 341.09
4 (2m) (a) 1. b., 341.09 (2m) (a) 2., 341.14 (1), 341.14 (1a), 341.14 (1m), 341.14 (1q),
5 341.14 (1r) (a), 341.14 (2), 341.14 (6) (a), 341.14 (6m) (a), 341.14 (6m) (b) 1.,
6 341.14 (6r) (b) 1., 341.14 (6r) (bg) 1., 341.14 (6r) (g) 1., 341.145 (1) (a), 341.145
7 (1) (b), 341.145 (2) (a), 341.145 (5) (a), 341.25 (1) (a), 341.26 (7) (b), 341.264 (1)
8 and (2) (a), 341.27 (3) (a), 341.28 (4) (c), 341.308 (2), 341.35 (1), 342.06 (1) (b),
9 342.10 (1) (d), 342.15 (4) (a), 342.15 (4) (a), 342.30 (2), 342.34 (1) (c), 342.34 (1)
10 (c), 344.25 (2), 344.26 (1), 344.27 (2), 344.31, 344.33 (2), 346.195 (2) (c), 346.205
11 (2) (c), 346.457 (2) (c), 346.465 (2) (c), 346.485 (2) (c), 346.505 (3) (b) 3., 346.945
12 (2) (c), 348.25 (6) and 422.413 (2); **to repeal and recreate** 341.14 (6m) (b),
13 341.14 (6r) (g), 341.145 (5) and 341.27 (3) (a); and **to create** 341.405 (1m) of the
14 statutes; **relating to:** station wagons; personalized vehicle registration plates;

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1 the contents of certificates of vehicle title; proof of financial responsibility for
2 future motor vehicle liability; temporary operation plates for leased vehicles;
3 the location of vehicle identification numbers; the expiration date of trailer fleet
4 registration; credit and plate transfer provisions associated with the
5 registration of automobiles; the elimination of certain replacement plate fees;
6 registering semitrailers under the international registration plan; proof of
7 insurance for annual permits to transport oversize mobile homes; the filing of
8 insurance certifications as proof of financial responsibility for the future by
9 motor vehicle owners; and granting rule-making authority (suggested as
10 remedial legislation by the department of transportation).

Analysis by the Legislative Reference Bureau***Vehicle registration and titling***

Current law requires certificates of vehicle title to contain a description of the vehicle, including its make, model and identification number. This bill eliminates the requirement that the vehicle model be included on the certificate of title.

Current law requires that requests for personalized vehicle registration plates be delivered to the department of transportation (DOT) by mail. This bill eliminates this requirement.

Under current law, effective September 1, 1998, a motor vehicle dealer licensed in this state is required to issue temporary operation plates without charge to any state resident who purchases from the dealer an automobile, station wagon or light truck (a truck with a registered gross weight of not more than 8,000 pounds) and submits to the dealer complete applications for registration and titling of the vehicle. Also effective September 1, 1998, the licensed motor vehicle dealer may issue temporary operation plates at a fee of \$3 to any state resident who purchases from a person other than a dealer an automobile, station wagon or light truck and submits to the dealer complete applications for registration and titling of the vehicle.

This bill specifies that these provisions of current law also apply to leased vehicles, except that the lessee is not required to submit to the dealer a complete application for titling of the leased vehicle.

Current law prohibits the owner of an automobile that is being registered with DOT from receiving credit for the unused portion of another automobile's registration or transferring that automobile's license plates to the automobile that is being registered if such credit or plate transfer provisions have applied, within the

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previous 12-month period, to the automobile that is being registered. This bill eliminates this prohibition.

Under current law, DOT collects a fee of \$4 whenever such credit or plate transfer provisions are used. This bill eliminates this fee. The bill also eliminates the replacement plate fee of \$4 associated with personalized license plates or the loss of eligibility for special group plates.

Proof of financial responsibility

Current law requires DOT to revoke the vehicle operating privilege and motor vehicle registrations of any person who is involved in a motor vehicle accident and who, within 30 days after a court judgment that requires the person to pay to another person (the "judgment creditor") more than \$500 for damages arising out of a motor vehicle accident, either fails to satisfy the judgment against the person or fails to appeal the judgment. However, if the judgment creditor consents DOT may allow the person to keep his or her operating privilege and vehicle registrations if the person: 1) provides proof of financial responsibility for the future (proof of the person's financial ability to pay any damages arising out of a motor vehicle accident in the future); and 2) maintains such proof in effect for 3 years after the date of the judgment awarding damages.

This bill requires such a person to maintain proof of financial responsibility for the future in effect for 3 years after the consent agreement between the person and the judgment creditor is filed with DOT, instead of maintaining such proof in effect for 3 years after the entry of judgment.

Currently, if a person required to pay a judgment in excess of \$500 for damages arising out of a motor vehicle accident obtains a court order allowing payment of the judgment in instalments, DOT may not revoke the person's operating privilege or vehicle registrations if the person provides proof of financial responsibility for the future. However, the person is not required to provide proof of financial responsibility for the future if 3 years have elapsed since the entry of the judgment. Under this bill, such a person is not required to provide proof of financial responsibility if 3 years have elapsed since the date on which the order permitting payment of the judgment in instalments is filed with DOT.

Also under current law, a person whose operating privilege or vehicle registration is revoked for failing to pay such a judgment may not reinstate the person's operating privilege or vehicle registration unless the person provides and maintains proof of financial responsibility for the future. This requirement does not apply if 3 years have elapsed since the date of entry of the judgment which was the cause for revocation. Under this bill, the requirement to provide proof of financial responsibility as a condition of reinstatement does not apply if 3 years have elapsed since the date on which the judgment of monetary damages was satisfied, stayed or discharged.

Under current law, DOT requires certain motor vehicle operators to furnish proof of financial responsibility for the future with respect to any motor vehicle that will be operated by such persons. A vehicle operator may file a certification of insurance as proof of financial responsibility for the future certifying that there is in effect a motor vehicle liability policy insuring any motor vehicle that will be operated

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by such person with the permission of the vehicle owner. These certifications of insurance may also be filed by any motor vehicle owner who is required to furnish proof of financial responsibility for the future but such certifications are limited to any motor vehicle that will be operated by such person with the permission of the vehicle owner.

This bill provides that any motor vehicle owner who is required to file proof of financial responsibility for the future with DOT may file a certification of insurance that certifies that there is in effect a motor vehicle liability policy insuring all motor vehicles owned by such person and all persons who will be operating any such vehicle with the permission of its owner.

Vehicle identification numbers

Current law specifies the location at which a vehicle identification number (VIN) assigned by DOT must be permanently affixed. This bill eliminates the statutory locations and requires DOT by rule to specify the locations for VIN placement.

Trailers and semitrailers

Under current law, the owner of a fleet of 100 or more trailers, each having a gross weight of 4,500 pounds or less and used for hire or rental, may register the trailers for a 6-year period ending June 30. This bill eliminates this expiration date, allowing DOT to establish the expiration date.

This bill clarifies that DOT may register semitrailers under the international registration plan for an annual fee of \$50 and may issue metal registration plates as evidence of such registration.

Other

Current law allows DOT and local highway authorities to require an applicant for a permit to transport a vehicle of excessive size or weight upon a highway to provide proof of liability insurance for harm or damage caused by transporting the oversize or overweight vehicle. Such proof of insurance is required for an annual permit to transport an oversize mobile home upon a highway.

This bill eliminates the requirement that an applicant for an annual permit to transport an oversize mobile home upon a highway provide proof of liability insurance. DOT and local highway authorities retain the authority to require such insurance for oversize mobile homes whenever DOT or the local highway authority believes such proof of insurance is appropriate.

Current law recognizes a "station wagon" as a distinct vehicle type, but treats that distinct vehicle type as an "automobile". This bill eliminates "station wagon" as a distinct vehicle type.

For further information, see the NOTES provided by the law revision committee of the joint legislative council in the bill.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the department of transportation and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of this bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 70.112 (5) of the statutes is amended to read:

2 70.112 (5) MOTOR VEHICLES, BICYCLES, SNOWMOBILES. Every automobile, motor
3 bicycle, motor bus, motorcycle, motor truck, moped, road tractor, school bus,
4 snowmobile, ~~station wagon~~, truck tractor, or other similar motor vehicle, or trailer
5 or semitrailer used in connection therewith.

NOTE: SECTIONS 1 to 4, 8 to 15, 19, 20, 24, 25, 30, 31, 42, 47, 48, 50, 51, 57 to 63 and 65 eliminate the definition of, and references to, station wagons which exist in the statutes. According to DOT, DOT does not distinguish between automobiles and station wagons for registration purposes, so the definition of "station wagon" serves no useful purpose and should be deleted.

6 **SECTION 2.** 340.01 (61) of the statutes is repealed.

7 **SECTION 3.** 341.03 (2) (a) of the statutes is amended to read:

8 341.03 (2) (a) Any person who violates sub. (1), where the vehicle used is an
9 automobile, ~~station wagon~~ or any other vehicle having a gross weight rating of 10,000
10 pounds or less, as determined by the manufacturer of the vehicle, may be required
11 to forfeit not more than \$200.

12 **SECTION 4.** 341.04 (3) (a) of the statutes is amended to read:

13 341.04 (3) (a) Any person who violates sub. (1) or (2), where the vehicle used
14 is an automobile, ~~station wagon~~, or any other vehicle having a gross vehicle weight
15 rating of 10,000 pounds or less, as determined by the manufacturer of the vehicle,
16 may be required to forfeit not more than \$200.

ASSEMBLY BILL 882**SECTION 5**

1 **SECTION 5.** 341.06 (1) (am) of the statutes is amended to read:

2 341.06 (1) (am) A trailer or semitrailer or camping trailer having a gross weight
3 of 3,000 pounds or less and not used for hire or rental. The registration fee charged
4 under this paragraph shall be the same as ~~if the trailer or semitrailer were to be used~~
5 ~~for hire or rental~~ the fee under s. 341.25 (1) (gd).

NOTE: Currently, registration of a fleet of 100 or more for-hire small trailers (those with a gross weight of 4,500 pounds or less) is for a 6-year period ending June 30. SECTIONS 5 and 39 eliminate this June 30 expiration date. According to DOT, elimination of this expiration date will allow DOT to consolidate small trailer registration plates with large trailer registration plates, which expire on December 31.

6 **SECTION 6.** 341.09 (2m) (a) 1. b. of the statutes, as created by 1997 Wisconsin
7 Act 27, is amended to read:

8 341.09 (2m) (a) 1. b. A state resident who purchases or leases an automobile,
9 station wagon or motor truck having a registered weight of 8,000 pounds or less from
10 a person other than the dealer for use on such vehicle if the state resident submits
11 to the dealer a complete application for registration of the vehicle, including evidence
12 of any inspection under s. 110.20 when required, and for a new certificate of title for
13 ~~the~~ a purchased vehicle, together with a check or money order made payable to the
14 department for all applicable title, registration, security interest and sales tax
15 moneys, for transmittal to the department by the dealer.

NOTE: SECTIONS 6 and 7 apply the same provisions in current law regarding motor vehicle dealer issuance of temporary license plates to leased vehicles, as well as to purchased vehicles. According to DOT, these changes reflect the current prevalence of vehicle leasing arrangements.

16 **SECTION 7.** 341.09 (2m) (a) 2. of the statutes, as created by 1997 Wisconsin Act
17 27, is amended to read:

18 341.09 (2m) (a) 2. Notwithstanding subd. 1., the department shall issue a
19 sufficient number of temporary operation plates without charge to each dealer
20 licensed in this state for issuance under this subdivision. Each dealer shall issue a

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1 temporary operation plate without charge to any state resident who purchases or
2 leases from the dealer an automobile, station wagon or motor truck having a
3 registered weight of 8,000 pounds or less, for use on such vehicle if the state resident
4 submits to the dealer a complete application for registration of the vehicle, including
5 evidence of inspection under s. 110.20 when required, and for a new certificate of title
6 for ~~the~~ a purchased vehicle, together with a check or money order made payable to
7 the department for all applicable title, registration, security interest and sales tax
8 moneys, for transmittal to the department by the dealer.

9 **SECTION 8.** 341.14 (1) of the statutes is amended to read:

10 341.14 (1) If any resident of this state who is registering or has registered an
11 automobile ~~or station wagon~~, or a motor truck, dual purpose motor home or dual
12 purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm
13 truck which has a gross weight of not more than 12,000 pounds or a motor home
14 submits a statement once every 4 years, as determined by the department, from the
15 U.S. department of veterans affairs certifying to the department that the resident
16 is, by reason of injuries sustained while in the active U.S. military service, a person
17 with a disability that limits or impairs the ability to walk, the department shall
18 procure, issue and deliver to the veteran, plates of a special design in lieu of the plates
19 which ordinarily would be issued for the vehicle, and shall renew the plates. The
20 plates shall have a light blue background except for a white border not to exceed one
21 inch at top and bottom, and blue lettering, except that the word "VET" and the
22 identifying number shown on the plates shall be colored red. The plates shall be so
23 designed as to readily apprise law enforcement officers of the fact that the vehicle is
24 owned by a disabled veteran and is entitled to the parking privileges specified in s.

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1 346.50 (2). No charge in addition to the registration fee shall be made for the issuance
2 or renewal of such plates.

3 **SECTION 9.** 341.14 (1a) of the statutes is amended to read:

4 341.14 (1a) If any resident of this state, who is registering or has registered an
5 automobile ~~or station wagon~~, or a motor truck, dual purpose motor home or dual
6 purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm
7 truck which has a gross weight of not more than 12,000 pounds or a motor home,
8 submits a statement once every 4 years, as determined by the department, from a
9 physician licensed to practice medicine in any state, from an advanced practice nurse
10 licensed to practice nursing in any state, from a physician assistant certified to
11 practice in any state, from a chiropractor licensed to practice chiropractic in any state
12 or from a Christian Science practitioner residing in this state and listed in the
13 Christian Science journal certifying to the department that the resident is a person
14 with a disability that limits or impairs the ability to walk, the department shall
15 procure, issue and deliver to the disabled person plates of a special design in lieu of
16 plates which ordinarily would be issued for the vehicle, and shall renew the plates.
17 The plates shall be so designed as to readily apprise law enforcement officers of the
18 fact that the vehicle is owned by a nonveteran disabled person and is entitled to the
19 parking privileges specified in s. 346.50 (2a). No charge in addition to the
20 registration fee shall be made for the issuance or renewal of such plates.

21 **SECTION 10.** 341.14 (1m) of the statutes is amended to read:

22 341.14 (1m) If any licensed driver submits to the department a statement once
23 every 4 years, as determined by the department, from a physician licensed to practice
24 medicine in any state, from an advanced practice nurse licensed to practice nursing
25 in any state, from a physician assistant certified to practice in any state, from a

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1 chiropractor licensed to practice chiropractic in any state or from a Christian Science
2 practitioner residing in this state and listed in the Christian Science journal
3 certifying that another person who is regularly dependent on the licensed driver for
4 transportation is a person with a disability that limits or impairs the ability to walk,
5 the department shall issue and deliver to the licensed driver plates of a special design
6 in lieu of the plates which ordinarily would be issued for the automobile ~~or station~~
7 ~~wagon~~, or motor truck, dual purpose motor home or dual purpose farm truck having
8 a gross weight of not more than 8,000 pounds, farm truck having a gross weight of
9 not more than 12,000 pounds or motor home, and shall renew the plates. The plates
10 shall be so designed as to readily apprise law enforcement officers of the fact that the
11 vehicle is operated by a licensed driver on whom a disabled person is regularly
12 dependent and is entitled to the parking privileges specified in s. 346.50 (2a). No
13 charge in addition to the registration fee may be made for the issuance or renewal
14 of the plates. The plates shall conform to the plates required in sub. (1a).

15 **SECTION 11.** 341.14 (1q) of the statutes, as affected by 1997 Wisconsin Act 27,
16 is amended to read:

17 341.14 (1q) If any employer who provides an automobile ~~or station wagon~~, or
18 a motor truck, dual purpose motor home or dual purpose farm truck which has a
19 gross weight of not more than 8,000 pounds, a farm truck which has a gross weight
20 of not more than 12,000 pounds or a motor home, for an employe's use submits to the
21 department a statement once every 4 years, as determined by the department, from
22 a physician licensed to practice medicine in any state, from an advanced practice
23 nurse licensed to practice nursing in any state, from a physician assistant certified
24 to practice in any state, from a chiropractor licensed to practice chiropractic in any
25 state or from a Christian Science practitioner residing in this state and listed in the

ASSEMBLY BILL 882**SECTION 11**

1 Christian Science journal certifying that the employe is a person with a disability
2 that limits or impairs the ability to walk, the department shall issue and deliver to
3 such employer plates of a special design in lieu of the plates which ordinarily would
4 be issued for the vehicle, and shall renew the plates. The plates shall be so designed
5 as to readily apprise law enforcement officers of the fact that the vehicle is operated
6 by a disabled person and is entitled to the parking privileges specified in s. 346.50
7 (2a). No charge in addition to the registration fee may be made for the issuance or
8 renewal of the plates. The plates shall conform to the plates required in sub. (1a).

9 **SECTION 12.** 341.14 (1r) (a) of the statutes, as affected by 1997 Wisconsin Act
10 27, is amended to read:

11 341.14 (1r) (a) If any resident of this state who is registering or has registered
12 an automobile ~~or station wagon~~, or a motor truck, dual purpose motor home or dual
13 purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm
14 truck which has a gross weight of not more than 12,000 pounds or a motor home
15 submits a statement once every 4 years, as determined by the department, certifying
16 to the department that the vehicle is leased to a person who qualifies for special
17 plates under sub. (1) or (1a) together with the information required under sub. (1)
18 or (1a), the department shall issue and deliver to the resident, plates of the
19 appropriate special design under sub. (1) or (1a) in lieu of the plates which ordinarily
20 would be issued for the vehicle, and shall renew the plates. No charge in addition
21 to the registration fee shall be made for the issuance or renewal of the plates. No
22 plates may be issued and delivered to a resident under this paragraph on or after
23 January 1, 1998.

24 **SECTION 13.** 341.14 (2) of the statutes is amended to read:

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1 341.14 (2) Upon compliance with the laws relating to registration of
2 automobiles, ~~station wagons~~ and motor homes; motor trucks, dual purpose motor
3 homes and dual purpose farm trucks which have a gross weight of not more than
4 8,000 pounds; and farm trucks which have a gross weight of not more than 12,000
5 pounds, including payment of the prescribed registration fees therefor plus an
6 additional fee of \$10 when registration plates are issued accompanied by an
7 application showing satisfactory proof that the applicant is the holder of an
8 unexpired amateur radio station license issued by the federal communications
9 commission, the department shall issue registration plates on which, in lieu of the
10 usual registration number, shall be inscribed in large legible form the call letters of
11 such applicant as assigned by the federal communications commission. The fee for
12 reissuance of a plate under this subsection shall be \$10.

13 **SECTION 14.** 341.14 (6) (a) of the statutes is amended to read:

14 341.14 (6) (a) Upon application to register an automobile ~~or station wagon~~ or
15 a motor truck or dual purpose farm truck which has a gross weight of not more than
16 8,000 pounds by any person who was a member of any of the U.S. armed services and
17 who was held as a prisoner of war during any of the conflicts described in s. 45.35 (5)
18 (e) 2. to 8. or in Bosnia, Grenada, Lebanon, Panama, Somalia or a Middle East crisis
19 under s. 45.34, and upon submission of a statement from the U.S. department of
20 veterans affairs certifying that the person was a prisoner of war during one of the
21 conflicts described in s. 45.35 (5) (e) 2. to 8. or in Bosnia, Grenada, Lebanon, Panama,
22 Somalia or a Middle East crisis under s. 45.34, the department shall issue to the
23 person a special plate which is colored red, white and blue and which has the words
24 “ex-prisoner of war” placed on the plate in the manner designated by the
25 department.

ASSEMBLY BILL 882**SECTION 15**

1 **SECTION 15.** 341.14 (6m) (a) of the statutes is amended to read:

2 341.14 **(6m)** (a) Upon application to register an automobile, ~~station wagon~~ or
3 motor truck which has a gross weight of not more than 8,000 pounds by any person
4 who is a resident of this state and a member or retired member of the national guard,
5 the department shall issue to the person special plates whose colors and design shall
6 be determined by the department, after consultation with the adjutant general, and
7 which have the words "Wisconsin guard member" placed on the plates in the manner
8 designated by the department. An additional fee of \$10 shall be charged for the
9 issuance of the plates. Registration plates issued under this subsection shall expire
10 annually.

11 **SECTION 16.** 341.14 (6m) (b) of the statutes, as affected by 1997 Wisconsin Acts
12 27 and (this act), is repealed and recreated to read:

13 341.14 **(6m)** (b) Except as provided in par. (c), if an individual in possession of
14 special plates under this subsection or of personalized plates under s. 341.145 (1) (b)
15 does not maintain membership in the national guard during a year which is not a
16 plate issuance year, the individual shall dispose of the special plates in a manner
17 prescribed by the department.

NOTE: SECTIONS 16 to 18, 21 to 23 and 27 to 29 eliminate the \$4 replacement fee that is charged when someone who is no longer eligible for certain special group plates reregisters a vehicle to a regular plate. These changes correspond to the provisions in SECTION 36 of the bill which eliminate the provisions in current law which prohibit the owner of an automobile that is being registered with DOT from receiving credit for the unused portion of another automobile's registration or transferring the automobile's license plates to the automobile that is being registered, if these credit or plate transfer provisions have applied, within the previous 12-month period, to the automobile that is being registered.

18 **SECTION 17.** 341.14 (6m) (b) 1. of the statutes is amended to read:

19 341.14 **(6m)** (b) 1. Dispose of the special plates in a manner prescribed by the
20 department; and

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1 **SECTION 18.** 341.14 (6m) (b) 2. of the statutes is repealed.

2 **SECTION 19.** 341.14 (6r) (b) 1. of the statutes is amended to read:

3 341.14 **(6r)** (b) 1. Upon application to register an automobile, ~~station wagon~~ or
4 motor home, or a motor truck, dual purpose motor home or dual purpose farm truck
5 which has a gross weight of not more than 8,000 pounds, or a farm truck which has
6 a gross weight of not more than 12,000 pounds, by any person who is a resident of
7 this state and a member of an authorized special group, the department shall issue
8 to the person special plates whose colors and design shall indicate that the vehicle
9 is owned by a person who is a member of the applicable special group.

10 **SECTION 20.** 341.14 (6r) (bg) 1. of the statutes is amended to read:

11 341.14 **(6r)** (bg) 1. Upon application to register an automobile, ~~station wagon~~
12 or motor home, or a motor truck, dual purpose motor home or dual purpose farm
13 truck which has a gross weight of not more than 8,000 pounds, or a farm truck which
14 has a gross weight of not more than 12,000 pounds, by any person who is a resident
15 of this state and a member of the authorized special group under par. (f) 52., the
16 department shall issue to the person special plates whose colors and design shall
17 indicate that the vehicle is owned by a person who is a member of that special group.

18 **SECTION 21.** 341.14 (6r) (g) of the statutes, as affected by 1997 Wisconsin Acts
19 27 and (this act), is repealed and recreated to read:

20 341.14 **(6r)** (g) If an individual in possession of special plates under par. (f) 33.,
21 34. or 48. or of personalized plates under s. 341.145 (1) (c) of the same color and design
22 as special plates under par. (f) 33., 34. or 48. does not maintain membership in the
23 applicable authorized special group during a year which is not a plate issuance year,
24 the individual shall dispose of the special plates in a manner prescribed by the
25 department.

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1 **SECTION 22.** 341.14 (6r) (g) 1. of the statutes is amended to read:

2 341.14 **(6r)** (g) 1. Dispose of the special plates in a manner prescribed by the
3 department; and

4 **SECTION 23.** 341.14 (6r) (g) 2. of the statutes is repealed.

5 **SECTION 24.** 341.145 (1) (a) of the statutes is amended to read:

6 341.145 **(1)** (a) A registration plate for an owned automobile ~~or station wagon~~
7 or a motor home registered for an annual registration period under s. 341.29 or
8 341.295 or a motorcycle or a motor truck, dual purpose motor home or dual purpose
9 farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck
10 which has a gross weight of not more than 12,000 pounds, which displays a
11 registration number composed of letters or numbers, or both, requested by the
12 applicant. Personalized registration plates under this paragraph shall be of the
13 same color and design as regular registration plates and shall consist of numbers or
14 letters, or both, not exceeding 5 positions and not less than one position for a plate
15 issued for a motorcycle or not exceeding 7 positions and not less than one position for
16 all other plates.

17 **SECTION 25.** 341.145 (1) (b) of the statutes is amended to read:

18 341.145 **(1)** (b) A registration plate of the same color and design as provided in
19 s. 341.14 (6m) for an owned automobile, ~~station wagon~~ or motor truck having a gross
20 weight of not more than 8,000 pounds, which displays a registration number
21 composed of letters or numbers, or both, not exceeding 7 positions and not less than
22 one position, requested by the applicant.

23 **SECTION 26.** 341.145 (2) (a) of the statutes is amended to read:

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1 341.145 (2) (a) The request and alternative thereto is received by the
2 department in writing ~~by mail~~ by the 15th day of the month in which the vehicle is
3 to be registered;

NOTE: SECTION 26 eliminates the requirement that personalized license plates be applied for by mail. According to DOT, it was necessary to have this application-by-mail requirement at the inception of the personalized license plate program because of the competition for certain popular plate messages. However, because most of the plate messages in great demand have already been issued, and because DOT has routinized the application process, the requirement to apply for personalized plates by mail is no longer necessary.

4 **SECTION 27.** 341.145 (5) of the statutes, as affected by 1997 Wisconsin Acts 27
5 and ... (this act), is repealed and recreated to read:

6 341.145 (5) If an individual in possession of a personalized registration plate
7 does not maintain the personalized registration plate under sub. (3) during a year
8 which is not a plate issuance year, the individual shall dispose of the personalized
9 plate in a manner prescribed by the department.

10 **SECTION 28.** 341.145 (5) (a) of the statutes is amended to read:

11 341.145 (5) (a) Dispose of the personalized plate in a manner prescribed by the
12 department; and

13 **SECTION 29.** 341.145 (5) (b) of the statutes is repealed.

14 **SECTION 30.** 341.25 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
15 is amended to read:

16 341.25 (1) (a) For each automobile ~~or station wagon~~, a fee of \$45, except that
17 an automobile registered in this state prior to September 1, 1947, at a fee of less than
18 \$18 shall be registered at such lesser fee plus an additional fee of \$2.

19 **SECTION 31.** 341.26 (7) (b) of the statutes is amended to read:

20 341.26 (7) (b) When engaged in passenger-carrying operations other than as
21 provided in par. (a) or sub. (2) (d), a school bus shall be registered as a motor bus at

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1 a fee determined under s. 341.25 (2), or as an automobile ~~or station wagon~~ at the fee
2 provided in s. 341.25 (1) (a). Fees for registration under s. 341.25 (2) may be paid in
3 accordance with ss. 341.30 and 341.31. Fees for part-quarterly registration shall be
4 computed on the basis of one-twelfth of the annual fee multiplied by the number of
5 months of the current quarter which have not fully expired on the date of the
6 application. If a vehicle was not operated in other than school bus service, a
7 statement of nonoperation satisfactory to the department shall be filed with the
8 application.

9 **SECTION 32.** 341.264 (1) and (2) (a) of the statutes are amended to read:

10 341.264 (1) Upon application and payment of a fee of \$50, the department shall
11 register a semitrailer which is operated in connection with a truck tractor or hauled
12 by a motor vehicle and used with a device which converts the semitrailer to a trailer.
13 ~~Except for a semitrailer registered under sub. (3), registration~~ Registration under
14 this section is valid without the payment of any additional fee while the registrant
15 is the owner of the semitrailer and, with respect to the sale of a leased semitrailer
16 to the lessee of the semitrailer, while the former lessee is the owner of the semitrailer
17 if the lessee reimbursed the lessor of the semitrailer at the time of registration of the
18 semitrailer for payment of the registration fee under this subsection. The
19 department shall issue a permanent semitrailer registration plate to evidence
20 registration under this subsection.

21 (2) (a) Upon the sale of a semitrailer registered under this section, the seller
22 shall remove the registration plate and destroy it. The purchaser shall immediately
23 apply for registration and pay the full applicable fee prescribed in sub. (1) ~~or~~
24 ~~established under sub. (3)~~. This paragraph does not apply to the sale of a leased

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1 semitrailer to a lessee eligible to maintain permanent registration of the semitrailer
2 under sub. (1).

NOTE: SECTIONS 32, 33 and 43 provide that current 12-year plates for semitrailers issued under the international registration plan (IRP) would no longer be issued. Instead, these provisions permit DOT to register semitrailers under the IRP and to issue base plates for each semitrailer registered under the IRP. An annual registration fee of \$50 would be charged for semitrailers registered under the IRP. According to DOT, motor carriers who operate in California who must have an IRP trailer plate would have the permanent semitrailer plate if these provisions were adopted, rather than the current plate which is renewed every 12 years.

3 **SECTION 33.** 341.264 (3) of the statutes is repealed.

4 **SECTION 34.** 341.27 (3) (a) of the statutes is amended to read:

5 341.27 (3) (a) ~~Except as provided in s. 341.28 (2) (c), if~~ If the applicant holds
6 current registration plates which were removed from an automobile which the
7 applicant no longer owns or which has been junked, is no longer used on the highways
8 or has been registered as a special interest vehicle under s. 341.266 (2) (a) or a
9 reconstructed, replica, street modified or homemade vehicle under s. 341.268 (2) (a),
10 and the plates were issued under the monthly series system, the department shall
11 register the automobile which is the subject of the application for the remainder of
12 the unexpired registration period.

NOTE: SECTIONS 34 and 35 provide that DOT must register certain automobiles for the remainder of an unexpired registration period, if the application is for the reregistration of certain automobiles.

13 **SECTION 35.** 341.27 (3) (a) of the statutes, as affected by 1997 Wisconsin Acts
14 27 and (this act), is repealed and recreated to read:

15 341.27 (3) (a) If the applicant holds current registration plates which were
16 removed from an automobile which the applicant no longer owns or which has been
17 junked, is no longer used on the highways or has been registered as a special interest
18 vehicle under s. 341.266 (2) (a) or a reconstructed, replica, street modified or
19 homemade vehicle under s. 341.268 (2) (a), and the plates were issued under the

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1 system of registration prescribed by this section, the department shall register the
2 automobile which is the subject of the application for the remainder of the unexpired
3 registration period.

4 **SECTION 36.** 341.28 (2) (c) of the statutes is repealed.

NOTE: SECTIONS 36 to 38, 40 and 41 repeal provisions that prohibit transfer of plates or registration credit to a vehicle if it has already been involved in a transfer or credit within the last 12 months. According to DOT, this prohibition was originally established to deter the abuse of license plate transfer provisions, but DOT has found this type of abuse to be rare. Therefore, the prohibition is no longer needed.

5 **SECTION 37.** 341.28 (4) (c) of the statutes is amended to read:

6 341.28 (4) (c) The automobile is owned by a person who has been in active
7 military service and less than 12 months of nonoperation have elapsed since the end
8 of the period for which the automobile was previously registered, provided the
9 applicant files with the department a statement of such nonoperation; ~~or,~~

10 **SECTION 38.** 341.28 (4) (d) of the statutes is repealed.

11 **SECTION 39.** 341.308 (2) of the statutes is amended to read:

12 341.308 (2) The registration of trailers under this section shall be valid for a
13 6-year period and shall expire on June 30. Upon receipt of an application and the
14 initial registration fees under sub. (3), the department shall issue a registration plate
15 for each trailer. The registration of trailers added to the fleet during the 6-year
16 registration period shall expire on the expiration date of the original fleet
17 registration. If trailers are removed from the fleet during the 6-year registration
18 period, the fleet owner shall dispose of the plates in the manner prescribed by the
19 department.

NOTE: See the NOTE following SECTION 5.

20 **SECTION 40.** 341.31 (1) (b) 7. of the statutes is repealed.

21 **SECTION 41.** 341.31 (6) of the statutes is repealed.

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1 **SECTION 42.** 341.35 (1) of the statutes is amended to read:

2 341.35 (1) ANNUAL REGISTRATION FEE. In this section “municipality” means a
3 town, village or city and “motor vehicle” means an automobile ~~or station wagon~~ or
4 motor truck registered under s. 341.25 (1) (c) at a gross weight of not more than 8,000
5 pounds. The governing body of a municipality or county may enact an ordinance
6 imposing an annual flat municipal or county registration fee on all motor vehicles
7 registered in this state which are customarily kept in the municipality or county. A
8 registration fee imposed under this section shall be in addition to state registration
9 fees.

10 **SECTION 43.** 341.405 (1m) of the statutes is created to read:

11 341.405 (1m) The department may register semitrailers under the
12 international registration plan for an annual fee of \$50. The department shall issue
13 a base plate for each semitrailer registered under this subsection.

14 **SECTION 44.** 342.06 (1) (b) of the statutes is amended to read:

15 342.06 (1) (b) A description of the vehicle, including make, ~~model~~, identification
16 number and any other information or documentation that the department may
17 reasonably require for proper identification of the vehicle or for determination of the
18 mileage of the vehicle as disclosed by prior transferors.

NOTE: SECTIONS 44 and 45 eliminate the requirement that the vehicle title include a description of the model of the vehicle. According to DOT, the model name included on the title is currently abbreviated to 3 characters, and the system of abbreviation used by DOT causes confusion among vehicle title holders. According to DOT, because the vehicle model information is stored in DOT's database and is available through on-line inquiry, it is not necessary to show this information on the title document.

19 **SECTION 45.** 342.10 (1) (d) of the statutes is amended to read:

20 342.10 (1) (d) A description of the vehicle, including make, ~~model~~ and
21 identification number.

22 **SECTION 46.** 342.14 (9) of the statutes is repealed.

ASSEMBLY BILL 882**SECTION 46**

NOTE: SECTION 46 repeals the \$4 transfer fee for the transfer of registration or credits for registration to a vehicle currently titled in the name of the applicant.

1 **SECTION 47.** 342.15 (4) (a) of the statutes is amended to read:

2 342.15 (4) (a) If the vehicle being transferred is a motorcycle or an automobile
3 ~~or station wagon~~ registered under the monthly series system or a motor home or a
4 motor truck, dual purpose motor home or dual purpose farm truck which has a gross
5 weight of not more than 8,000 pounds or a farm truck which has a gross weight of
6 not more than 12,000 pounds, the owner shall remove the registration plates and
7 retain and preserve them for use on any other vehicle of the same type and gross
8 weight which may subsequently be registered in his or her name.

9 **SECTION 48.** 342.15 (4) (a) of the statutes, as affected by 1997 Wisconsin Act 27,
10 is amended to read:

11 342.15 (4) (a) If the vehicle being transferred is a motorcycle or an automobile
12 ~~or station wagon~~ registered under s. 341.27 or a motor home or a motor truck, dual
13 purpose motor home or dual purpose farm truck which has a gross weight of not more
14 than 8,000 pounds or a farm truck which has a gross weight of not more than 12,000
15 pounds, the owner shall remove the registration plates and retain and preserve them
16 for use on any other vehicle of the same type and gross weight which may
17 subsequently be registered in his or her name.

18 **SECTION 49.** 342.30 (2) of the statutes is amended to read:

19 342.30 (2) ~~An~~ Except as provided in this subsection, an identification number
20 assigned by the department to a ~~mobile home, trailer or semitrailer~~ shall be stamped
21 ~~upon the frame in a readily visible location.~~ An identification number assigned to
22 a motor vehicle manufactured prior to January 1, 1969, shall be permanently affixed
23 to a location on the left front pillar. ~~The vehicle identification number for motor~~

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1 ~~vehicles manufactured after January 1, 1969, shall be permanently affixed upon~~
2 ~~either a part of the vehicle that is not designed to be removed except for repair, or a~~
3 ~~separate plate which is permanently affixed to such part. The vehicle identification~~
4 ~~number shall be located inside the passenger compartment and shall be readable,~~
5 ~~without moving any part of the vehicle, through the vehicle glazing under daylight~~
6 ~~lighting conditions by an observer having 20/20 vision (Snellen) whose eyepoint is~~
7 ~~located outside the vehicle adjacent to the left windshield pillar that is readily visible~~
8 ~~when observed from outside the vehicle, as specified by the department by rule.~~
9 Identification numbers assigned for cycles shall be stamped on the left side, near the
10 top of the engine casting just below the cylinder barrel. Such stamping or affixing
11 shall be done under the supervision of a dealer, distributor or manufacturer
12 registered under s. 341.51 or under the supervision of a peace officer. The person
13 supervising the stamping or affixing shall make a report thereof to the department.

NOTE: SECTION 49 deletes the requirement that the vehicle identification number be permanently affixed to specific vehicle locations, and instead provides that it shall be permanently affixed to a readily visible location on the vehicle when observed from outside the vehicle, as specified by the department by rule. According to DOT, it is not always practicable to place the vehicle identification number inside the windshield, for example, without removing the windshield. DOT has already established a policy, which allows vehicle identification numbers to be placed in other visible locations. However, some vehicle owners have received citations for improper placement of the identification number because the statute still provides for specific locations. Therefore, DOT states that this change will be more workable and will eliminate confusion that currently exists among law enforcement personnel.

14 **SECTION 50.** 342.34 (1) (c) of the statutes is amended to read:

15 342.34 (1) (c) If the vehicle is a motorcycle or an automobile ~~or station wagon~~
16 registered under the monthly series system or a motor home or a motor truck, dual
17 purpose motor home or dual purpose farm truck which has a gross weight of not more
18 than 8,000 pounds or a farm truck which has a gross weight of not more than 12,000
19 pounds, the owner shall remove the registration plates and retain and preserve them

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1 for use on any other vehicle of the same type which may subsequently be registered
2 in his or her name. If the vehicle is not a motorcycle or an automobile ~~or station~~
3 ~~wagon~~ registered under the monthly series system, or a motor home or a motor truck,
4 dual purpose motor home or dual purpose farm truck which has a gross weight of not
5 more than 8,000 pounds or a farm truck which has a gross weight of not more than
6 12,000 pounds, he or she shall remove and destroy the plates.

7 **SECTION 51.** 342.34 (1) (c) of the statutes, as affected by 1997 Wisconsin Act 27,
8 is amended to read:

9 342.34 (1) (c) If the vehicle is a motorcycle or an automobile ~~or station wagon~~
10 registered under s. 341.27 or a motor home or a motor truck, dual purpose motor
11 home or dual purpose farm truck which has a gross weight of not more than 8,000
12 pounds or a farm truck which has a gross weight of not more than 12,000 pounds, the
13 owner shall remove the registration plates and retain and preserve them for use on
14 any other vehicle of the same type which may subsequently be registered in his or
15 her name. If the vehicle is not a motorcycle or an automobile ~~or station wagon~~
16 registered under s. 341.27, or a motor home or a motor truck, dual purpose motor
17 home or dual purpose farm truck which has a gross weight of not more than 8,000
18 pounds or a farm truck which has a gross weight of not more than 12,000 pounds, he
19 or she shall remove and destroy the plates.

20 **SECTION 52.** 344.25 (2) of the statutes is amended to read:

21 344.25 (2) If the judgment creditor consents in writing in such form as the
22 secretary may prescribe that the judgment debtor be allowed to retain or reinstate
23 the operating privilege and registrations, the same may be allowed by the secretary
24 for 6 months from the date of such consent and thereafter until such consent is
25 revoked in writing, notwithstanding default in the payment of such judgment or of

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1 any instalments thereof as prescribed in s. 344.27, provided the judgment debtor
2 furnishes proof of financial responsibility for the future and maintains such proof at
3 all times when such license and registrations are in effect during a period of 3 years
4 following the ~~entry of the judgment~~ date on which the agreement is filed with the
5 secretary.

NOTE: SECTIONS 52 to 54 change the requirements for the filing of proof of financial responsibility for the future for the reinstatement of an operating privilege which is revoked due to a judgment for damages having been entered against a motor vehicle operator. Currently, filing proof of financial responsibility for damage judgment revocations is required for 3 years following the entry of the judgment. According to DOT, these changes will make the proof of financial responsibility filing requirement for damage judgment revocations consistent with all other operating privilege revocations and will help ensure that the person is financially responsible prior to reinstatement of the driving privilege.

6 **SECTION 53.** 344.26 (1) of the statutes is amended to read:

7 344.26 (1) Subject to the exceptions stated in ss. 344.25 (2) and 344.27 (2), any
8 operating privilege or registration revoked pursuant to s. 344.25 shall remain
9 revoked until every judgment mentioned in s. 344.25 is stayed, satisfied or
10 discharged and, unless 3 years have elapsed since the ~~date of entry of the judgment~~
11 ~~which was the cause for revocation~~ on which the judgment was stayed, satisfied or
12 discharged, until the person whose operating privilege and registration was revoked
13 furnishes proof of financial responsibility for the future and maintains such proof at
14 all times during such 3-year period when the operating privilege or registration is
15 in effect.

16 **SECTION 54.** 344.27 (2) of the statutes is amended to read:

17 344.27 (2) The secretary shall not revoke the operating privilege or registration
18 and shall restore any operating privilege or registration revoked following
19 nonpayment of a judgment when the judgment debtor obtains such order permitting
20 the payment of the judgment in instalments and, unless 3 years have elapsed since

ASSEMBLY BILL 882**SECTION 54**

1 the entry of judgment date on which the order permitting the payment of the
2 judgment in instalments is filed with the secretary, furnishes and maintains proof
3 of financial responsibility for the future.

4 **SECTION 55.** 344.31 of the statutes is amended to read:

5 **344.31 Certification of insurance as proof.** Proof of financial responsibility
6 for the future may be furnished by filing with the secretary the written certification
7 of any insurer duly authorized to do business in this state that there is in effect a
8 motor vehicle liability policy for the benefit of the person required to furnish proof
9 of financial responsibility or by transmitting such certification to the secretary by
10 another means approved by the secretary. Such certification shall give the effective
11 date of such motor vehicle liability policy, which date shall be the same as the
12 effective date of the certification and shall certify coverage for any motor vehicle
13 operated by the named insured or coverage for any motor vehicle owned by the
14 named insured.

NOTE: SECTIONS 55 and 56 amend current law regarding the required filing of proof of financial responsibility for the future, to require vehicle owners, and not just vehicle operators, to file this proof. 1991 Wisconsin Act 269 made significant changes to Wisconsin's safety responsibility law. One of these changes required vehicle owners to file proof of financial responsibility before reinstatement of revoked driving privileges. These changes were not carried over to the statutes requiring the filing of proof of financial responsibility for the future, and these SECTIONS make these changes.

15 **SECTION 56.** 344.33 (2) of the statutes is amended to read:

16 **344.33 (2) MOTOR VEHICLE LIABILITY POLICY.** A motor vehicle policy of liability
17 insurance shall insure the person named therein using any motor vehicle with the
18 express or implied permission of the owner, or shall insure all motor vehicles owned
19 by the named insured and all persons using such motor vehicles with the express or
20 implied permission of the named insured, against loss from the liability imposed by
21 law for damages arising out of the maintenance or use of the motor vehicle within

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1 the United States of America or the Dominion of Canada, subject to the limits
2 exclusive of interest and costs, with respect to each such motor vehicle as follows:
3 \$25,000 because of bodily injury to or death of one person in any one accident and,
4 subject to such limit for one person, \$50,000 because of bodily injury to or death of
5 2 or more persons in any one accident, and \$10,000 because of injury to or destruction
6 of property of others in any one accident.

7 **SECTION 57.** 346.195 (2) (c) of the statutes is amended to read:

8 346.195 (2) (c) Identification of the vehicle as an automobile, ~~station wagon,~~
9 motor truck, motor bus, motorcycle or other type of vehicle.

10 **SECTION 58.** 346.205 (2) (c) of the statutes is amended to read:

11 346.205 (2) (c) Identification of the vehicle as an automobile, ~~station wagon,~~
12 motor truck, motor bus, motorcycle or other type of vehicle.

13 **SECTION 59.** 346.457 (2) (c) of the statutes is amended to read:

14 346.457 (2) (c) Identification of the vehicle as an automobile, ~~station wagon,~~
15 motor truck, motor bus, motorcycle or other type of vehicle.

16 **SECTION 60.** 346.465 (2) (c) of the statutes is amended to read:

17 346.465 (2) (c) Identification of the vehicle as an automobile, ~~station wagon,~~
18 motor truck, motor bus, motorcycle or other type of vehicle.

19 **SECTION 61.** 346.485 (2) (c) of the statutes is amended to read:

20 346.485 (2) (c) Identification of the vehicle as an automobile, ~~station wagon,~~
21 motor truck, motor bus, motorcycle or other type of vehicle.

22 **SECTION 62.** 346.505 (3) (b) 3. of the statutes is amended to read:

23 346.505 (3) (b) 3. Identification of the vehicle as an automobile, ~~station wagon,~~
24 motor truck, motor bus, motorcycle or other type of vehicle.

25 **SECTION 63.** 346.945 (2) (c) of the statutes is amended to read:

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1 346.945 (2) (c) Identification of the motor vehicle as an automobile, station
2 wagon, motor truck, motor bus, motorcycle or other type of vehicle.

3 **SECTION 64.** 348.25 (6) of the statutes is amended to read:

4 348.25 (6) The officer or agency authorized by s. 348.26 or 348.27 to issue
5 permits may require the permittee to file proof satisfactory to such officer or agency
6 that personal injury and property damage insurance in an amount considered
7 sufficient by such officer or agency will be in force to cover any claim for bodily injury
8 or property damage which may occur in connection with operation under the permit
9 and for which the permittee is legally responsible. ~~Proof of such insurance shall be~~
10 ~~required in the case of annual permits for transportation of oversize mobile homes.~~

NOTE: SECTION 64 deletes the requirement that proof of insurance for the transportation of oversized mobile homes be filed with DOT before a multiple trip permit may be obtained. According to DOT, this requirement should be eliminated because DOT does not require other types of multiple trip permittees to file proof of insurance; therefore, it should not be required in this case.

11 **SECTION 65.** 422.413 (2) of the statutes is amended to read:

12 422.413 (2) In the case of a transaction for an agricultural purpose, a writing
13 evidencing a consumer credit transaction may provide for the creditor's recovery of
14 expenses of taking and holding collateral and in the case of collateral other than
15 automobiles, as defined in s. 340.01 (4), ~~station wagons, as defined in s. 340.01 (61),~~
16 and trucks other than farm trucks, as defined in s. 340.01 (18), for the expenses of
17 preparing the collateral for sale.

18 **SECTION 9348. Initial applicability; transportation.**

19 (1) PROOF OF FINANCIAL RESPONSIBILITY. The treatment of sections 344.25 (2),
20 344.26 (1) and 344.27 (2) of the statutes first applies to revocations occurring on the
21 effective date of this subsection.

