

State of Wisconsin



1999 Assembly Bill 444

Date of enactment: **April 21, 2000**

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1999 WISCONSIN ACT 80

AN ACT to *repeal* 340.01 (61), 341.14 (6m) (b) 2., 341.264 (3), 341.28 (2) (c), 341.28 (4) (d), 341.31 (1) (b) 7., 341.31 (6) and 342.14 (9); to *renumber and amend* 343.14 (5), 343.19 (2) and 345.17; to *consolidate, renumber and amend* 341.14 (6m) (b) (intro.) and 1.; to *amend* 70.112 (5), 77.995, 85.024 (2), 341.03 (2) (a), 341.04 (1) (intro.), 341.04 (3) (a), 341.06 (1) (am), 341.09 (1) (b), 341.09 (2) (g), 341.09 (2m) (a) 1. b., 341.09 (2m) (a) 2., 341.09 (9), 341.14 (1), 341.14 (1a), 341.14 (1m), 341.14 (1q), 341.14 (1r) (a), 341.14 (2), 341.14 (6) (a), 341.14 (6m) (a), 341.14 (6r) (b) 1., 341.14 (6r) (bg) 1., 341.145 (1) (a), 341.145 (1) (b), 341.145 (2) (a), 341.25 (1) (a), 341.26 (7) (b), 341.264 (1) and (2) (a), 341.28 (4) (c), 341.308 (2), 341.35 (1), 342.06 (1) (b), 342.10 (1) (d), 342.15 (4) (a), 342.30 (2), 342.34 (1) (c), 343.50 (4), 344.25 (2), 344.26 (1), 344.27 (2), 344.31, 344.33 (2), 344.46 (1), 346.10 (3), 346.195 (2) (c), 346.205 (2) (c), 346.457 (2) (c), 346.465 (2) (c), 346.485 (2) (c), 346.505 (3) (b) 3., 346.945 (2) (c), 348.25 (6) and 885.237 (2); to *repeal and recreate* 341.14 (6r) (g), 341.145 (5) and 341.27 (3) (a); and to *create* 341.405 (2m), 343.14 (5) (a), 343.14 (5) (b), 343.14 (9), 343.19 (2) (a), 343.19 (2) (b), 343.19 (4), 345.17 (1) (a), 345.17 (1) (b), 345.17 (1) (c) and 345.17 (2) of the statutes; **relating to**: the term "station wagon"; requests for personalized vehicle registration plates; the contents of certificates of vehicle title; motor vehicle financial responsibility laws; temporary operation plates for leased vehicles; the location of vehicle identification numbers; the expiration date of trailer fleet registration; credit and plate transfer provisions associated with the registration of automobiles; the elimination of certain replacement plate fees; registering semitrailers under the international registration plan; motor vehicles passing within 100 feet of an intersection located outside of a business or residential district; the renumbering of statutory provisions prohibiting individuals from making false statements to the department of transportation; deadlines for submitting applications and awarding grants under the bicycle and pedestrian facilities grant program; granting rule-making authority; and providing penalties (suggested as remedial legislation by the department of transportation).

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.

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

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

NOTE: SECTIONS 1, 2, 4 to 7, 9 to 21, 24, 25, 27, 28, 31, 32, 42, 47, 49, 71 to 77 and 79 eliminate the definition of, and ref-

* Section 991.11, WISCONSIN STATUTES 1997-98: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

erences 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, and references to, "station wagon" serves no useful purpose and should be deleted.

SECTION 2. 77.995 of the statutes is amended to read:

77.995 Imposition. There is imposed a fee at the rate of 3%, or 5% for the rental of limousines, of the gross receipts on the rental, but not for rental and not for rental as a service or repair replacement vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); ~~of station wagons, as defined in s. 340.01 (61);~~ of mobile homes, as defined in s. 340.01 (29); of motor homes, as defined in s. 340.01 (33m); and of camping trailers, as defined in s. 340.01 (6m) by establishments primarily engaged in short-term rental of vehicles without drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a). In this section, "limousine" means a passenger automobile that has a capacity of 10 or fewer persons, excluding the driver; that has a minimum of 5 seats behind the driver; that is operated for hire on an hourly basis under a pre-arranged contract for the transportation of passengers on public roads and highways along a route under the control of the person who hires the vehicle and not over a defined regular route; but "limousine" does not include taxicabs, hotel or airport shuttles or buses, buses employed solely in transporting school children or teachers, vehicles owned and operated without charge or remuneration by a business entity for its own purposes, vehicles used in carpools or vanpools, public agency vehicles that are not operated as a commercial venture, vehicles operated as part of the employment transit assistance program under s. 106.26, ambulances or any vehicle that is used exclusively in the business of funeral directing.

SECTION 3. 85.024 (2) of the statutes is amended to read:

85.024 (2) The department shall administer a bicycle and pedestrian facilities program to award grants of assistance to political subdivisions for the planning, development or construction of bicycle and pedestrian facilities. ~~Annually, the~~ The department shall award from the appropriation under s. 20.395 (2) (nx) grants to political subdivisions under this section. A political subdivision that is awarded a grant under this section shall contribute matching funds equal to at least 25% of the amount awarded under this section. ~~The department shall select grant recipients annually beginning in 1994 from applications submitted to the department on or before April 1 of each year.~~

NOTE: This SECTION amends current law to allow DOT to award bicycle and pedestrian facility grants at any time during the calendar year and will eliminate the requirement that for each year's grants, all applications must be submitted on or before April 1 of each year.

SECTION 4. 340.01 (61) of the statutes is repealed.

SECTION 5. 341.03 (2) (a) of the statutes is amended to read:

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

SECTION 6. 341.04 (1) (intro.) of the statutes is amended to read:

341.04 (1) (intro.) 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, except for registration under s. 341.30 or 341.305, a complete application for registration, including evidence of any inspection under s. 110.20 when required, accompanied by the required fee has been delivered to the department, submitted to a dealer under s. 341.09 (2m) for transmittal to the department or deposited in the mail properly addressed with postage prepaid and, if the vehicle is an automobile, ~~station wagon~~ or motor truck having a registered weight of 8,000 pounds or less, the vehicle displays a temporary operation plate issued for the vehicle unless the operator or owner of the vehicle produces proof that operation of the vehicle is within 2 business days of the vehicle's sale or transfer, or the vehicle in question is exempt from registration.

SECTION 7. 341.04 (3) (a) of the statutes is amended to read:

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

SECTION 8. 341.06 (1) (am) of the statutes is amended to read:

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

NOTE: Under current s. 341.06 (1) (am), stats., a person may register a trailer or semitrailer or camping trailer that has a gross weight of 3,000 pounds or less and is not used for hire or rental. The registration fee is the same as if it were to be used for hire or rental. Under s. 341.25 (1) (gd), stats., for each trailer or semitrailer or camping trailer that has a gross weight of 3,000 pounds or less and is used for hire or rental, the fee is 1/2 of the fee prescribed for a motor truck of the same weight. Also, under s. 341.308, stats., 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 on June 30. This SECTION inserts a cross-reference for s. 341.25 (1) (gd), stats., under which trailers used for hire or rental are registered. This change, combined with the change made to s. 341.308 (2), stats., by SECTION 39, will allow registrations for all 3 categories of trailers to expire on the same date and allow DOT to consolidate small trailer registration plates with large trailer registration plates that expire on December 31. See also the NOTE following SECTION 39.

SECTION 9. 341.09 (1) (b) of the statutes is amended to read:

341.09 (1) (b) The department shall specify by rule the size, color, design, form and specifications of temporary operation plates issued under sub. (2m) or (9) for an automobile, ~~station wagon~~ or motor truck having a registered weight of 8,000 pounds or less, and the system to be used to identify the date of issuance of such plates. All temporary operation plates issued under sub. (2m) or (9) for an automobile, ~~station wagon~~ or motor truck having a registered weight of 8,000 pounds or less shall contain a registration number composed of letters or numbers.

SECTION 10. 341.09 (2) (g) of the statutes is amended to read:

341.09 (2) (g) A temporary operation plate may not be issued under this subsection to a state resident for use on an automobile, ~~station wagon~~ or motor truck having a registered weight of 8,000 pounds or less.

SECTION 11. 341.09 (2m) (a) 1. b. of the statutes is amended to read:

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

NOTE: SECTIONS 11 and 12 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. See also the NOTE following SECTION 1.

SECTION 12. 341.09 (2m) (a) 2. of the statutes is amended to read:

341.09 (2m) (a) 2. Notwithstanding subd. 1., the department shall issue a sufficient number of temporary operation plates without charge to each dealer licensed in this state for issuance under this subdivision. Each dealer shall issue a temporary operation plate without charge to any state resident who purchases or leases from the dealer an automobile, ~~station wagon~~ or motor truck having a registered weight of 8,000 pounds or less, for use on such

vehicle if the state resident submits to the dealer a complete application for registration of the vehicle, including evidence of inspection under s. 110.20 when required, and for a new certificate of title for ~~the~~ a purchased vehicle, together with a check or money order made payable to the department for all applicable title, registration, security interest and sales tax moneys, for transmittal to the department by the dealer.

SECTION 13. 341.09 (9) of the statutes is amended to read:

341.09 (9) Notwithstanding any other provision of this section, the department shall issue a temporary operation plate without charge for an automobile, ~~station wagon~~ or motor truck having a registered weight of 8,000 pounds or less upon receipt of a complete application accompanied by the required fee for registration of the vehicle, including evidence of any inspection under s. 110.20 when required, if the department does not immediately issue the regular registration plates for the vehicle and the department determines that the applicant has not otherwise been issued a temporary operation plate under this section.

SECTION 14. 341.14 (1) of the statutes is amended to read:

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

SECTION 15. 341.14 (1a) of the statutes, as affected by 1997 Wisconsin Act 67, is amended to read:

341.14 (1a) If any resident of this state, who is registering or has registered an automobile ~~or station wagon~~, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm truck which has a gross weight

of not more than 12,000 pounds or a motor home, submits a statement once every 4 years, as determined by the department, from a physician licensed to practice medicine in any state, from an advanced practice nurse licensed to practice nursing in any state, from a physician assistant licensed or certified to practice in any state, from a chiropractor licensed to practice chiropractic in any state or from a Christian Science practitioner residing in this state and listed in the Christian Science journal certifying to the department that the resident is a person with a disability that limits or impairs the ability to walk, the department shall procure, issue and deliver to the disabled person plates of a special design in lieu of plates which ordinarily would be issued for the vehicle, and shall renew the plates. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle 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 or renewal of such plates.

SECTION 16. 341.14 (1m) of the statutes, as affected by 1997 Wisconsin Act 67, is amended to read:

341.14 (1m) If any licensed driver submits to the department a statement once every 4 years, as determined by the department, from a physician licensed to practice medicine in any state, from an advanced practice nurse licensed to practice nursing in any state, from a physician assistant licensed or certified to practice in any state, from a chiropractor licensed to practice chiropractic in any state or from a Christian Science practitioner residing in this state and listed in the Christian Science journal certifying that another person who is regularly dependent on the licensed driver for transportation is a person with a disability that limits or impairs the ability to walk, the department shall issue and deliver to the licensed driver plates of a special design in lieu of the plates which ordinarily would be issued for the automobile or station wagon, or motor truck, dual purpose motor home or dual purpose farm truck having a gross weight of not more than 8,000 pounds, farm truck having a gross weight of not more than 12,000 pounds or motor home, and shall renew the plates. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is operated by a licensed driver on whom a disabled person is regularly dependent and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance or renewal of the plates. The plates shall conform to the plates required in sub. (1a).

SECTION 17. 341.14 (1q) of the statutes, as affected by 1997 Wisconsin Act 67, is amended to read:

341.14 (1q) If any employer who provides an automobile or station wagon, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000 pounds or a

motor home, for an employee's use submits to the department a statement once every 4 years, as determined by the department, from a physician licensed to practice medicine in any state, from an advanced practice nurse licensed to practice nursing in any state, from a physician assistant licensed or certified to practice in any state, from a chiropractor licensed to practice chiropractic in any state or from a Christian Science practitioner residing in this state and listed in the Christian Science journal certifying that the employe is a person with a disability that limits or impairs the ability to walk, the department shall issue and deliver to such employer plates of a special design in lieu of the plates which ordinarily would be issued for the vehicle, and shall renew the plates. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is operated by a disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance or renewal of the plates. The plates shall conform to the plates required in sub. (1a).

SECTION 18. 341.14 (1r) (a) of the statutes is amended to read:

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

SECTION 19. 341.14 (2) of the statutes is amended to read:

341.14 (2) Upon compliance with the laws relating to registration of automobiles, station wagons and motor homes; motor trucks, dual purpose motor homes and dual purpose farm trucks which have a gross weight of not more than 8,000 pounds; and farm trucks which have a gross weight of not more than 12,000 pounds, including payment of the prescribed registration fees therefor plus an additional fee of \$10 when registration plates are issued 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, 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. The fee for reissuance of a plate under this subsection shall be \$10.

SECTION 20. 341.14 (6) (a) of the statutes is amended to read:

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

SECTION 21. 341.14 (6m) (a) of the statutes is amended to read:

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

SECTION 22. 341.14 (6m) (b) (intro.) and 1. of the statutes are consolidated, renumbered 341.14 (6m) (b) and amended to read:

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

NOTE: SECTIONS 22, 23, 26 and 30 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 changes in SECTIONS 36 to 38, 40 and 41 of the bill that 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.

SECTION 23. 341.14 (6m) (b) 2. of the statutes is repealed.

SECTION 24. 341.14 (6r) (b) 1. of the statutes is amended to read:

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

SECTION 25. 341.14 (6r) (bg) 1. of the statutes is amended to read:

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

SECTION 26. 341.14 (6r) (g) of the statutes is repealed and recreated to read:

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

SECTION 27. 341.145 (1) (a) of the statutes is amended to read:

341.145 (1) (a) A registration plate for an owned automobile or station wagon or a motor home registered for an annual registration period under s. 341.29 or 341.295 or a motorcycle or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight of not more than 12,000 pounds, which displays a registration number composed of letters or numbers, or both, requested by the applicant. Personalized registration plates under this paragraph shall be of the same color and design as regular registration plates and shall consist of numbers or letters, or both, not

exceeding 5 positions and not less than one position for a plate issued for a motorcycle or not exceeding 7 positions and not less than one position for all other plates.

SECTION 28. 341.145 (1) (b) of the statutes is amended to read:

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

SECTION 29. 341.145 (2) (a) of the statutes is amended to read:

341.145 (2) (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;

NOTE: This SECTION 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, this requirement is no longer necessary.

SECTION 30. 341.145 (5) of the statutes is repealed and recreated to read:

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

SECTION 31. 341.25 (1) (a) of the statutes is amended to read:

341.25 (1) (a) For each automobile ~~or station wagon~~, a fee of \$45, 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.

SECTION 32. 341.26 (7) (b) of the statutes is amended to read:

341.26 (7) (b) When engaged in passenger-carrying operations other than as provided in par. (a) or sub. (2) (d), a school bus shall be registered as a motor bus at a fee determined under s. 341.25 (2), or as an automobile ~~or station wagon~~ at the fee provided in s. 341.25 (1) (a). Fees for registration under s. 341.25 (2) may be paid in accordance with 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. If a vehicle was not operated in other than school bus service, a statement of nonoperation satisfactory to the department shall be filed with the application.

SECTION 33. 341.264 (1) and (2) (a) of the statutes are amended to read:

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

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

NOTE: SECTIONS 33, 34 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. 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.

SECTION 34. 341.264 (3) of the statutes is repealed.

SECTION 35. 341.27 (3) (a) of the statutes is repealed and recreated to read:

341.27 (3) (a) If the applicant holds current registration plates that were removed from an automobile that the applicant no longer owns or that has been junked, is no longer used on the highways or has been registered as a special interest vehicle under s. 341.266 (2) (a) or a reconstructed, replica, street modified or homemade vehicle under s. 341.268 (2) (a), and the plates were issued under the system of registration prescribed by this section, the department shall register the automobile which is the subject of the application for the remainder of the unexpired registration period.

NOTE: This SECTION provides that DOT must register certain automobiles for the remainder of an unexpired registration period if the application is for the reregistration of certain automobiles.

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.

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

341.28 (4) (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; ~~or~~.

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

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

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

NOTE: This SECTION deletes the June 30 registration expiration date for fleets or small trailers which will allow all trailer registrations to expire on the same date. See also the NOTE following SECTION 8.

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

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

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

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

SECTION 43. 341.405 (2m) of the statutes is created to read:

341.405 (2m) The department may register semitrailers under the international registration plan. The department may establish a fee for registration under this subsection based on administrative cost.

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

342.06 (1) (b) A description of the vehicle, including make, ~~model~~, identification number and any other information or documentation that the department may rea-

sonably require for proper identification of the vehicle or for determination of the 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.

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

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

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

NOTE: This SECTION 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.

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

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

SECTION 48. 342.30 (2) of the statutes is amended to read:

342.30 (2) An Except as provided in this subsection, an identification number assigned by the department to a mobile home, trailer or semitrailer shall be stamped upon the frame in a readily visible location. An identification number assigned to a motor vehicle manufactured prior to January 1, 1969, shall be permanently affixed to a location on the left front pillar. The vehicle identification number for motor vehicles manufactured after January 1, 1969, shall be permanently affixed upon either a part of the vehicle that is not designed to be removed except for repair, or a separate plate which is permanently affixed to such part. The vehicle identification number shall be located inside the passenger compartment and shall be readable, without moving any part of the vehicle, through the vehicle glazing under daylight lighting conditions by an observer having 20/20 vision (Snellen) whose eyepoint is located outside the vehicle adjacent to the left windshield pillar that is readily visible when observed from outside the vehicle, as specified by the department by rule. Identification numbers assigned for cycles shall be stamped on the left side, near the top of the engine casting just below the cylinder barrel. Such stamping or affixing shall be done under the supervision

of a dealer, distributor or manufacturer registered under s. 341.51 or under the supervision of a peace officer. The person supervising the stamping or affixing shall make a report thereof to the department.

NOTE: This SECTION 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.

SECTION 49. 342.34 (1) (c) of the statutes is amended to read:

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

SECTION 50. 343.14 (5) of the statutes is renumbered 343.14 (5) (intro.) and amended to read:

343.14 (5) (intro.) ~~Any No person who uses~~ may use a false or fictitious name ~~in any application for a license or identification card~~ or knowingly makes make a false statement or knowingly ~~conceals~~ conceal a material fact or otherwise ~~commits~~ commit a fraud in an application for any such application may be fined not more than \$1,000 or imprisoned for not more than 6 months or both. of the following:

NOTE: SECTIONS 50 to 53, while making no substantive changes, reorganizes s. 343.14 (5), stats., which provides that any person who uses a false or fictitious name, knowingly makes a false statement, conceals a material fact or commits fraud in an application for a license or identification card may be fined not more than \$1,000 or imprisoned for not more than 6 months, or both.

SECTION 51. 343.14 (5) (a) of the statutes is created to read:

343.14 (5) (a) A license.

SECTION 52. 343.14 (5) (b) of the statutes is created to read:

343.14 (5) (b) An identification card.

SECTION 53. 343.14 (9) of the statutes is created to read:

343.14 (9) Any person who violates sub. (5) may be fined not more than \$1,000 or imprisoned for not more than 6 months or both.

SECTION 54. 343.19 (2) of the statutes is renumbered 343.19 (2) (intro.) and amended to read:

343.19 (2) (intro.) ~~Any No person who may knowingly makes make~~ a false statement ~~in an application for a duplicate license or identification card~~ or ~~who fails fail~~ to return the original license or identification card to the department upon finding it or ~~who fails fail~~ to comply with any other requirement of this section ~~may be fined not more than \$1,000 or imprisoned for not more than 6 months or both. relating to an application for any of the following:~~

NOTE: SECTIONS 54 to 57, while making no substantive changes, reorganizes s. 343.19, stats., which provides that any person who knowingly makes a false statement in an application for duplicate license or identification card or fails to return the original license or identification card to DOT upon finding it or who fails to comply with any other requirement of s. 343.19, stats., relating to an application for a duplicate license or identification card may be fined not more than \$1,000 or imprisoned for not more than 6 months, or both.

SECTION 55. 343.19 (2) (a) of the statutes is created to read:

343.19 (2) (a) A duplicate license.

SECTION 56. 343.19 (2) (b) of the statutes is created to read:

343.19 (2) (b) A duplicate identification card.

SECTION 57. 343.19 (4) of the statutes is created to read:

343.19 (4) Any person who violates sub. (2) may be fined not more than \$1,000 or imprisoned for not more than 6 months or both.

SECTION 58. 343.50 (4) of the statutes is amended to read:

343.50 (4) APPLICATION. The application for an identification card shall include the information required under s. 343.14 (2) (a) and (b) and (2m), such further information as the department may reasonably require to enable it to determine whether the applicant is entitled by law to an identification card and, for applicants who are aged 65 years or older, material, as provided by the department, explaining the voluntary program that is specified in s. 71.55 (10) (b). The department shall, as part of the application process, take a photograph of the applicant to comply with sub. (3). No application may be processed without the photograph being taken. Misrepresentations ~~are in violation of s. 343.14 (5) are~~ punishable as provided in s. 343.14 ~~(5) (9).~~

NOTE: This SECTION clarifies that misrepresentations in applications for identification cards under s. 343.50, stats., are in violation of s. 343.14 (5), stats., and are punishable as provided in s. 343.14 (9), stats.

SECTION 59. 344.25 (2) of the statutes is amended to read:

344.25 (2) If the judgment creditor consents in writing in such form as the secretary may prescribe that the judgment debtor be allowed to retain or reinstate the operating privilege and registrations, the same may be allowed by the secretary for 6 months from the date of such consent and thereafter until such consent is revoked in writing, notwithstanding default in the payment of such judgment or of any instalments thereof as prescribed in s. 344.27, provided the judgment debtor furnishes proof of financial responsibility for the future and maintains such proof at all times when such license and registrations are in effect during a period of 3 years following the entry of the judgment date on which the agreement is filed with the secretary.

NOTE: SECTIONS 59 to 61 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.

SECTION 60. 344.26 (1) of the statutes is amended to read:

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

SECTION 61. 344.27 (2) of the statutes is amended to read:

344.27 (2) The secretary shall not revoke the operating privilege or registration and shall restore any operating privilege or registration revoked following nonpayment of a judgment when the judgment debtor obtains such order permitting the payment of the judgment in instalments and, unless 3 years have elapsed since the entry of judgment date on which the order permitting the payment of the judgment in instalments is filed with the secretary, furnishes and maintains proof of financial responsibility for the future.

SECTION 62. 344.31 of the statutes is amended to read:

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

NOTE: SECTIONS 62 and 63 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 suspended or revoked vehicle registrations. This change was not carried over to the statutes requiring the filing of proof of financial responsibility for the future, and these SECTIONS make that change.

SECTION 63. 344.33 (2) of the statutes is amended to read:

344.33 (2) MOTOR VEHICLE LIABILITY POLICY. A motor vehicle policy of liability insurance shall insure the person named therein using any motor vehicle with the express or implied permission of the owner, or shall insure any motor vehicle owned by the named insured and any person using such motor vehicle with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the maintenance or use of the motor vehicle within the United States of America or the Dominion of Canada, subject to the limits exclusive of interest and costs, with respect to each such motor vehicle as follows: \$25,000 because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, \$50,000 because of bodily injury to or death of 2 or more persons in any one accident, and \$10,000 because of injury to or destruction of property of others in any one accident.

SECTION 64. 344.46 (1) of the statutes is amended to read:

344.46 (1) No owner of a motor vehicle involved in an accident in this state which is reportable under s. 346.70 shall transfer the ownership or registration of any vehicle whose registration is subject to revocation under s. 344.14 until this chapter until all of the applicable provisions of this chapter has been complied with or until the secretary is satisfied that such transfer is proposed in

good faith and not for the purpose or with the effect of defeating the purposes of this chapter.

NOTE: This SECTION deletes the reference to s. 344.14, stats., to make s. 344.46 (1), stats., applicable to all revocations that are made under ch. 344, such as ss. 344.08, 344.14 and 344.25, stats.

SECTION 65. 345.17 of the statutes is renumbered 345.17 (1) (intro.) and amended to read:

345.17 (1) (intro.) Unless another civil or criminal penalty is expressly prescribed by law, any no person making may make a false statement to the department or secretary of said department on which such the department or the secretary relies in performing an act, issuing a duplicate title, license or operating privilege, or administering any law which the department or secretary is required by law to administer or perform, shall, on the first offense be required to forfeit not less than \$25 nor more than \$100; and, on the 2nd and each subsequent offense not less than \$100 nor more than \$500.

NOTE: SECTIONS 65 to 69, while making no substantive changes, reorganizes s. 345.17, stats., which provides that unless another criminal penalty is expressly prescribed by law, any person who makes a false statement on which DOT or the secretary of transportation relies in issuing a duplicate title or a duplicate license or operating privilege or in performing an act or administering a law that the department or secretary is required by law to perform must forfeit not less than \$25 nor more than \$100 for the first offense and not less than \$100 nor more than \$500 for the second and each subsequent offense.

SECTION 66. 345.17 (1) (a) of the statutes is created to read:

345.17 (1) (a) Issuing a duplicate title.

SECTION 67. 345.17 (1) (b) of the statutes is created to read:

345.17 (1) (b) Issuing a duplicate license or operating privilege.

SECTION 68. 345.17 (1) (c) of the statutes is created to read:

345.17 (1) (c) Performing an act or administering a law that the department or secretary is required by law to administer or perform.

SECTION 69. 345.17 (2) of the statutes is created to read:

345.17 (2) Any person who violates sub. (1) shall forfeit not less than \$25 nor more than \$100 for the first offense and shall forfeit not less than \$100 nor more than \$500 for the 2nd and each subsequent offense.

SECTION 70. 346.10 (3) of the statutes is amended to read:

346.10 (3) Outside of a business or residence district, the restrictions which sub. (2) places upon passing at an intersection apply only if such intersection ~~has been~~ is designated by an official traffic sign or signal, regardless of whether such sign or signal was intended to guide, direct, warn or regulate traffic in the direction of travel by a traffic control signal, stop sign, yield sign or sign that warns traffic of existing or potentially hazardous conditions on or adjacent to the roadway.

NOTE: This SECTION clarifies that an operator of a motor vehicle may overtake and pass any other vehicle proceeding in the same direction when approaching within 100 feet of or traversing an intersection that is located outside of a business or residential district unless the intersection is designated in the direction of the person's travel by a traffic control signal, stop sign, yield sign or sign that warns traffic of existing or potentially hazardous conditions on or adjacent to the highway.

SECTION 71. 346.195 (2) (c) of the statutes is amended to read:

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

SECTION 72. 346.205 (2) (c) of the statutes is amended to read:

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

SECTION 73. 346.457 (2) (c) of the statutes is amended to read:

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

SECTION 74. 346.465 (2) (c) of the statutes is amended to read:

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

SECTION 75. 346.485 (2) (c) of the statutes is amended to read:

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

SECTION 76. 346.505 (3) (b) 3. of the statutes is amended to read:

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

SECTION 77. 346.945 (2) (c) of the statutes is amended to read:

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

SECTION 78. 348.25 (6) of the statutes is amended to read:

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

NOTE: This SECTION 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.

SECTION 79. 885.237 (2) of the statutes is amended to read:

885.237 (2) Notwithstanding s. 341.04, the fact that an automobile, ~~station wagon~~ or motor truck having a registered weight of 8,000 pounds or less is located on a highway, as defined in s. 340.01 (22), and is not displaying valid registration plates, a temporary operation plate or other evidence of registration as provided under s. 341.18 (1) is prima facie evidence, for purposes of ch. 341, that the vehicle is an unregistered or improperly registered vehicle.

SECTION 9348. Initial applicability; transportation.

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

(2) **VEHICLE IDENTIFICATION NUMBERS.** The treatment of section 342.30 (2) of the statutes first applies to identification numbers affixed on the effective date of this subsection.

(3) **OVERSIZE MOBILE HOME PERMITS.** The treatment of section 348.25 (6) of the statutes first applies to permits applied for on the effective date of this subsection.

(4) **TRANSFER OF VEHICLE OWNERSHIP OR REGISTRATION.** The treatment of section 344.46 (1) of the statutes first applies to accidents occurring on the effective date of this subsection.

(5) **FALSE STATEMENTS.** The renumbering and amendment of section 345.17 of the statutes and the creation of sections 345.17 (1) (a), (b) and (c) and (2) of the statutes first apply to violations of section 345.17 (1) of the statutes occurring on the effective date of this subsection, but does not preclude the counting of other violations as prior violations for determining the amount of the forfeiture to be imposed.

SECTION 9448. Effective dates; transportation. This act takes effect on the day after publication, except as follows:

(1) **PROOF OF FINANCIAL RESPONSIBILITY.** The treatment of sections 344.25 (2), 344.26 (1) and 344.27 (2) of the statutes and SECTION 9348 (1) take effect on the first day of the 4th month beginning after publication.

(2) **VEHICLE IDENTIFICATION NUMBERS.** The treatment of section 342.30 (2) of the statutes and SECTION 9348 (2) of this act take effect on the first day of the 4th month beginning after publication.