

2001 DRAFTING REQUEST

Bill

Received: **01/07/2002**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Jeff Stone (608) 266-8590**

By/Representing: **Tami Rongstad (aide)**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **TNF, PJH**

Submit via email: **YES**

Requester's email: **Rep.Stone@legis.state.wi.us**

Carbon copy (CC:) to: **Tami.Rongstad@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Penalty for operating a vehicle that is not properly registered

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	agary 01/24/2002	jdyer 01/24/2002	jfrantze 01/25/2002	_____	lrb_docadmin 01/25/2002		S&L
/2	agary 02/04/2002	jdyer 02/05/2002	pgreensl 02/05/2002	_____	lrb_docadmin 02/05/2002	lrb_docadminS&L 02/06/2002	

FE Sent For:

<END>

→ 02-06-2002

→ ("12")

see attached

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FE Sent For:

1/2 3/5 jld
2/6 PG/RS
P8 <END>

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1/?	agary	1/1/24 JD	1/1/24 JG	1/25 PG			

FE Sent For:

<END>

Gary, Aaron

From: Rongstad, Tami
Sent: Friday, January 11, 2002 3:41 PM
To: Gary, Aaron
Subject: RE: Drafting Request

You would be correct :)

Many thanks!

Tami

-----Original Message-----

From: Gary, Aaron
Sent: Friday, January 11, 2002 2:45 PM
To: Rongstad, Tami
Subject: RE: Drafting Request

Hi Tami,

I am working on this request, which is now LRB-4619. I am assuming that you also want this change for vehicles operating without registration because the registration has been suspended, revoked, or canceled, i.e., change to s. 341.03 (2) (a) & (b) as well as s. 341.04 (3) (a) & (b). Please let me know if I am mistaken. Thanks. Aaron.

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

-----Original Message-----

From: Rongstad, Tami
Sent: Monday, January 07, 2002 5:10 PM
To: Gary, Aaron; Fast, Timothy; Hurley, Peggy
Subject: Drafting Request

Howdy all!

I'm not sure if Peggy's back yet, but I didn't want to leave anybody out. Just let me know who will take this one.

Rep. Stone would like a bill drafted that would raise the penalty for operating an unregistered (or improperly registered) vehicle. He would like the minimum penalty to be \$100. I believe the sections we are looking at are 341.04(3)(a) and 341.04(3)(b). Currently the penalties are "not more than \$200" and "not more than \$500". We want not less than \$100, and not to exceed (the current amounts).

Call or email with questions!

Thank you,

Tami Rongstad
Office of Rep. Jeff Stone

2001 BILL

Handwritten: Note

Handwritten: Needed by 1/30 - end of day turned in 1/24

Handwritten: Gen

1 AN ACT ...; relating to: operating an unregistered or improperly registered
2 vehicle and providing a penalty. ✓

Analysis by the Legislative Reference Bureau

Current law prohibits the operation on a highway of an unregistered or improperly registered vehicle. This prohibition also applies to a vehicle whose registration is suspended, revoked, or canceled. A person who violates this prohibition may be subject to a forfeiture of not more than \$500[✓] or, if the vehicle is an automobile or other vehicle having a gross weight of 10,000 pounds or less, not more than \$200. ~~(\$)~~

~~(\$)~~ This bill establishes a minimum forfeiture amount of \$100[✓] for a violation that results in the imposition of a forfeiture. *of this prohibition*

For further information see the *state and local* 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:

3

SECTION 1. 341.03 (2) ^{(a) and (b) are} of the statutes ~~is~~ amended to read:

4

341.03 (2) ~~PENALTIES~~ (a) Any person who violates sub. (1), where the vehicle used is an automobile or any other vehicle having a gross weight rating of 10,000

5

BILL

1 pounds or less, as determined by the manufacturer of the vehicle, may be required
2 to forfeit not less than \$100 nor more than \$200.

3 (b) Any person who violates sub. (1), where the vehicle used is a vehicle not
4 enumerated under par. (a), may be required to forfeit not less than \$100 nor more
5 than \$500.

6 **SECTION 2.** 341.04 (3) (a) of the statutes is amended to read:

7 341.04 (3) (a) Any person who violates sub. (1) or (2), where the vehicle used
8 is an automobile or any other vehicle having a gross vehicle weight rating of 10,000
9 pounds or less, as determined by the manufacturer of the vehicle, may be required
10 to forfeit not less than \$100 nor more than \$200.

11 **SECTION 3.** 341.04 (3) (b) of the statutes is amended to read:

12 341.04 (3) (b) Any person who violates sub. (1) or (2), where the vehicle used
13 is a vehicle not enumerated under par. (a), may be required to forfeit not less than
14 \$100 nor more than \$500.

15 **SECTION 4. Initial applicability.**

16 (1) This act first applies to violations committed on the effective date of this
17 subsection.

18 (END)

D-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4619/1dn

ARG:.....
^
jld

✓
Chapter 341 provides certain registration exceptions for specified special interest vehicles, driver education vehicles, and reconstructed, replica, street modified, and homemade vehicles. Concomitant with the registration exceptions for these vehicles are use limitations on the vehicles. If the vehicle is operated on a highway in violation of the use limitations without being registered under the general registration statute, the operator may be required to forfeit not more than \$200. See ss. 341.266 (2) (e) 3. and (5), 341.267 (1r), and 341.268 (2) (e) 3. and (5). Do you want to also amend these penalty provisions to include a minimum forfeiture of \$100, since these provisions in effect penalize operation of the specified vehicles without proper registration?

There is also a similar forfeiture (not more than \$200) for operation of a vehicle for which no certificate of title has been issued or applied for. See s. 342.05 (4). Do you also want to amend this provision to include a minimum forfeiture of \$100?

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4619/1dn
ARG:jld:jf

January 25, 2002

Chapter 341 provides certain registration exceptions for specified special interest vehicles, driver education vehicles, and reconstructed, replica, street modified, and homemade vehicles. Concomitant with the registration exceptions for these vehicles are use limitations on the vehicles. If the vehicle is operated on a highway in violation of the use limitations without being registered under the general registration statute, the operator may be required to forfeit not more than \$200. See ss. 341.266 (2) (e) 3. and (5), 341.267 (1r), and 341.268 (2) (e) 3. and (5). Do you want to also amend these penalty provisions to include a minimum forfeiture of \$100, since these provisions in effect penalize operation of the specified vehicles without proper registration?

There is also a similar forfeiture (not more than \$200) for operation of a vehicle for which no certificate of title has been issued or applied for. See s. 342.05 (4). Do you also want to amend this provision to include a minimum forfeiture of \$100?

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

Gary, Aaron

From: Rongstad, Tami
Sent: Friday, February 01, 2002 4:05 PM
To: Gary, Aaron
Subject: LRB 4619 Changes

Aaron--

Regarding the Drafter's Note to LRB 4619--We'd like to do paragraph two. Thanks--Tami



note to AG.doc

Thanks--

Tami Rongstad
Office of Rep. Stone

LRB 4619/1dn

Chapter 341 provides certain registration exceptions for specified special interest vehicles, driver education vehicles, and reconstructed, salvaged, and modified, and homemade vehicles. The committee has the responsibility to determine if these vehicles are use limited vehicles which, if the vehicle is operated on a highway in violation of the use limitations without being registered under the general registration statute, the operator may be required to forfeit not more than \$200. See s. 341.266 (2) (e) 3. and (5), 341.27(1)(b), and 341.27(1)(e) 3. Do you also want to amend these penalty provisions to include a minimum forfeiture of \$100? Do these provisions in effect penalize operation of the specified vehicles without proper registration?

There is also a similar forfeiture (not more than \$200) for operation of a vehicle for which no certificate of title has been issued or applied for. See s. 342.05(1). Do you also want to amend this provision to include a minimum forfeiture of \$100?

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

RMR

2001 BILL

Senon
turned in 2/4

untitled, ✓

Regen

1 AN ACT to amend 341.03 (2) (a) and (b), 341.04 (3) (a) and 341.04 (3) (b) of the
 2 statutes; relating to: operating an unregistered or improperly registered
 3 vehicle and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits the operation on a highway of an unregistered or improperly registered vehicle. This prohibition also applies to a vehicle whose registration is suspended, revoked, or canceled. A person who violates this prohibition may be subject to a forfeiture of not more than \$500 or, if the vehicle is an automobile or other vehicle having a gross weight of 10,000 pounds or less, not more than \$200. This bill establishes a minimum forfeiture amount of \$100 for a violation of this prohibition which results in the imposition of a forfeiture.

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

Insert A ✓

P

either of these

if the violation

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

4 SECTION 1. 341.03 (2) (a) and (b) of the statutes are amended to read:
 5 341.03 (2) (a) Any person who violates sub. (1), where the vehicle used is an
 6 automobile or any other vehicle having a gross weight rating of 10,000 pounds or less,

BILL

1 as determined by the manufacturer of the vehicle, may be required to forfeit not less
2 than \$100 nor more than \$200.

3 (b) Any person who violates sub. (1), where the vehicle used is a vehicle not
4 enumerated under par. (a), may be required to forfeit not less than \$100 nor more
5 than \$500.

6 **SECTION 2.** 341.04 (3) (a) of the statutes is amended to read:

7 341.04 (3) (a) Any person who violates sub. (1) or (2), where the vehicle used
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12 341.04 (3) (b) Any person who violates sub. (1) or (2), where the vehicle used
13 is a vehicle not enumerated under par. (a), may be required to forfeit not less than
14 \$100 nor more than \$500.

Insert B →

15 **SECTION 4. Initial applicability.**

16 (1) This act first applies to violations committed on the effective date of this
17 subsection.

18 (END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4619/2ins
ARG:.....

INSERT A:

~~#20~~ Current law also prohibits the operation on a highway of a vehicle for which a certificate of title is required unless the certificate has been issued or applied for. A person who violates this prohibition may be subject to a forfeiture of not more than \$200.

INSERT B:

SECTION 1. 342.05 (4) ~~X~~ of the statutes is amended to read:

342.05 (4) Any owner who operates or consents to the operation of a vehicle for which a certificate of title is required without such certificate having been issued or applied for or any other person who operates a vehicle for which a certificate of title is required, knowing that the certificate of title has not been issued or applied for, may be required to forfeit not less than \$100 ~~nor~~ more than \$200. A certificate is considered to have been applied for when the application accompanied by the required fee has been delivered to the department or deposited in the mail properly addressed and with postage prepaid.

Emery, Lynn

From: Rongstad, Tami
Sent: Wednesday, February 06, 2002 3:56 PM
To: LRB.Legal
Subject: Draft review: LRB-4619/2 Topic: Penalty for operating a vehicle that is not properly registered

It has been requested by <Rongstad, Tami> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-4619/2 Topic: Penalty for operating a vehicle that is not properly registered

Barman, Mike

From: Rongstad, Tami
Sent: Wednesday, February 06, 2002 4:11 PM
To: Barman, Mike; Uecker, Deborah
Subject: FE request on an unIntroduced LRB draft

Rep. Stone would like a fiscal estimate provided on an unIntroduced bill draft--LRB 4619/2.

Thank you,

Tami Rongstad
Office of Rep. Jeff Stone



01-4619-2.pdf

Memo

To: Rep. Stone

(The Draft's Requestor)

Per your request ... the attached is a fiscal estimate was prepared for your un-introduced 2001 draft.

LRB Number: LRB -4619

Version: "/ 2"

Entered In Computer And Copy Sent To Requestor Via E-Mail: 2 / 18 / 2002

Fiscal Estimate Prepared By: (agency abbr.) DOT

If you have questions about the attached fiscal estimate, you may contact the agency/ individual who prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

* * * * *

To: LRB – Legal Section PA's

Subject: Fiscal Estimate Received For A Un-Introduced Draft

- If this draft is **re-drafted** ... please insert this early fiscal estimate into the drafting file ... after the draft's old version (the version this fiscal estimate was based on), and before mark-up of the draft on the updated version.
- If this draft is **introduced** ... and the version of the attached fiscal estimate is for a **previous version** ... please insert this early fiscal estimate into the drafting file ... after the draft's old version (the version this fiscal estimate was based on), and before mark-up of the draft on the updated version.
Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.
- If this draft is **introduced** ... and the version of the attached fiscal estimate is for the **current version** ... please write the drafts intro. number below and give this fiscal estimate to Mike (or Lynn) to process.

THIS DRAFT WAS INTRODUCED AS: 2001 AB-828

Emery, Lynn

From: Emery, Lynn
Sent: Monday, February 18, 2002 9:23 AM
To: Rep.Stone
Subject: LRB-4619/2 (FE by DOT-attached-for your review)



FE_Stone.pdf

FE_Stone.pdf