

2003 ASSEMBLY BILL 630

AN ACT *to repeal* 350.02 (2) (b) 6.; *to renumber* 100.48 (1) (a); *to renumber and amend* 347.415 (1); *to amend* 25.29 (1) (d) 1., 100.48 (1) (b), 100.48 (2), 100.48 (3) (a), 100.48 (4) (a), 100.48 (4) (b), 347.415 (4), 347.50 (1), 347.50 (2), 350.02 (2) (a) 6., 350.02 (3m) and 350.12 (3) (a) 2.; and *to create* 100.48 (1) (ad), 100.48 (1) (ag), 100.48 (1) (c), 100.48 (4) (c), 347.415 (1g), 350.02 (2m), 350.035 and 350.15 (6) of the statutes; **relating to:** calculating the estimated snowmobile gas tax payment; operation of snowmobiles by law enforcement officers on highways; operation of snowmobiles proceeding in opposite directions or in excess of roadway speed limits; tampering with odometers of snowmobiles and all-terrain vehicles and with hour meters of boats, snowmobiles, and all-terrain vehicles; transfer of snowmobile registration certificates; exempting accidents occurring in certain snowmobile races or derbies from

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requirements to render aid and from reporting and investigation requirements;
and providing a penalty.

Analysis by the Legislative Reference Bureau

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

1 **SECTION 1.** 25.29 (1) (d) 1. of the statutes is amended to read:

2 25.29 **(1)** (d) 1. An amount calculated by multiplying the number of
3 snowmobiles registered under s. 350.12 or 350.122 on the last day of ~~February~~ March
4 of the previous fiscal year by 50 gallons and multiplying that product by the excise
5 tax imposed under s. 78.01 (1) on the last day of ~~February~~ March of the previous fiscal
6 year.

7 **SECTION 2.** 100.48 (1) (a) of the statutes is renumbered 100.48 (1) (am).

8 **SECTION 3.** 100.48 (1) (ad) of the statutes is created to read:

9 100.48 **(1)** (ad) “All-terrain vehicle” has the meaning given in s. 340.01 (2g).

10 **SECTION 4.** 100.48 (1) (ag) of the statutes is created to read:

11 100.48 **(1)** (ag) “Boat” has the meaning given in s. 30.50 (2).

12 **SECTION 5.** 100.48 (1) (b) of the statutes is amended to read:

13 100.48 **(1)** (b) “Hour meter” means an instrument ~~on a piece of farm equipment~~
14 that measures and records the actual hours of operation of the ~~piece of farm~~
15 ~~equipment~~ vehicle or device to which the instrument is attached.

16 **SECTION 6.** 100.48 (1) (c) of the statutes is created to read:

17 100.48 **(1)** (c) “Snowmobile” has the meaning given in s. 350.01 (12).

18 **SECTION 7.** 100.48 (2) of the statutes is amended to read:

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1 100.48 (2) No person may, either personally or through an agent, remove,
2 replace, disconnect, reset, tamper with, alter, or fail to connect, an hour meter
3 attached to farm equipment, a snowmobile, an all-terrain vehicle, or a boat with the
4 intent to defraud by changing or affecting the number of hours of operation indicated
5 on the hour meter.

6 **SECTION 8.** 100.48 (3) (a) of the statutes is amended to read:

7 100.48 (3) (a) Nothing in this section shall prevent the service, repair or
8 replacement of an hour meter if the number of hours of operation indicated on the
9 hour meter remains the same as before the service, repair or replacement. If an hour
10 meter attached to farm equipment, a snowmobile, an all-terrain vehicle, or a boat
11 is incapable of registering the same number of hours of operation as before its service,
12 repair or replacement, the hour meter shall be adjusted to read zero, and a sticker
13 shall be affixed by the owner of the ~~piece of farm equipment~~ vehicle or device to which
14 the hour meter is attached or an agent, in proximity to the hour meter, specifying the
15 number of hours of operation recorded on the hour meter prior to its service, repair
16 or replacement and the date on which it was serviced, repaired or replaced. No
17 person who services, repairs or replaces an hour meter attached to farm equipment,
18 a snowmobile, an all-terrain vehicle, or a boat that is incapable of registering the
19 same number of hours of operation as before such service, repair or replacement may
20 fail to adjust the hour meter to read zero or fail to affix the sticker required by this
21 paragraph.

22 **SECTION 9.** 100.48 (4) (a) of the statutes is amended to read:

23 100.48 (4) (a) Any person who violates sub. (2) or (3) (b) with respect to an hour
24 meter attached to farm equipment may be fined not more than \$5,000 or imprisoned
25 for not more than one year in the county jail, or both, for each violation.

ASSEMBLY BILL 630**SECTION 10**

1 **SECTION 10.** 100.48 (4) (b) of the statutes is amended to read:

2 100.48 (4) (b) Any person who violates sub. (3) (a) with respect to an hour meter
3 attached to farm equipment may be required to forfeit not more than \$500 for each
4 violation.

5 **SECTION 11.** 100.48 (4) (c) of the statutes is created to read:

6 100.48 (4) (c) Any person who violates sub. (2) or (3) with respect to an hour
7 meter attached to a snowmobile, an all-terrain vehicle, or a boat may be fined not
8 more than \$5,000 or imprisoned for not more than one year in the county jail, or both,
9 for each violation.

10 **SECTION 12.** 347.415 (1) of the statutes is renumbered 347.415 (1m) and
11 amended to read:

12 347.415 (1m) No person shall may, either personally or through an agent,
13 remove, replace, disconnect, reset, tamper with, alter, or fail to connect the odometer
14 of any motor vehicle, snowmobile, or all-terrain vehicle with the intent to change or
15 affect the number of miles indicated thereon.

16 **SECTION 13.** 347.415 (1g) of the statutes is created to read:

17 347.415 (1g) In this section, “odometer” means an instrument for measuring
18 and recording the actual distance that a motor vehicle, snowmobile, or all-terrain
19 vehicle has traveled while in operation, but does not include any auxiliary
20 instrument designed to be reset to zero to measure and record the actual distance
21 that a motor vehicle, snowmobile, or all-terrain vehicle has traveled on trips.

22 **SECTION 14.** 347.415 (4) of the statutes is amended to read:

23 347.415 (4) No person shall conspire with any other person to violate sub. (1)
24 (1m), (2) or (3).

25 **SECTION 15.** 347.50 (1) of the statutes is amended to read:

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1 347.50 (1) Any person violating ss. 347.35 to 347.49, except s. 347.413 (1) or s.
2 347.415 (1) (1m), (2) and (3) to (5) or s. 347.417 (1) or s. 347.475 or s. 347.48 (2m) or
3 (4) (a) or s. 347.489, may be required to forfeit not less than \$10 nor more than \$200.

4 **SECTION 16.** 347.50 (2) of the statutes is amended to read:

5 347.50 (2) Any person violating s. 347.415 (1) (1m), (2), and (3) to (5) or 347.475
6 may be fined not more than \$5,000 or imprisoned for not more than one year in the
7 county jail, or both, for each violation.

8 **SECTION 17.** 350.02 (2) (a) 6. of the statutes is amended to read:

9 350.02 (2) (a) 6. On a portion of the roadway or shoulder of a highway for a
10 purpose of residential access or for the purpose of access from lodging if the town, city
11 or village, within which that portion of the highway lies, enacts an ordinance under
12 s. 350.18 (3) for that portion of the highway. ~~A snowmobile operated on a portion of~~
13 ~~the roadway or shoulder of a highway under this subdivision shall observe roadway~~
14 ~~speed limits.~~

15 **SECTION 18.** 350.02 (2) (b) 6. of the statutes is repealed.

16 **SECTION 19.** 350.02 (2m) of the statutes is created to read:

17 350.02 (2m) No person may operate a snowmobile on or adjacent to a roadway
18 in excess of the applicable roadway speed limit established under s. 346.57 or 349.11
19 unless the person is operating the snowmobile as part of a special event authorized
20 under s. 350.04.

21 **SECTION 20.** 350.02 (3m) of the statutes is amended to read:

22 350.02 (3m) A law enforcement officer may operate a snowmobile on a highway
23 in performance of his or her official duties if the snowmobile is equipped with a
24 ~~flashing, oscillating or rotating blue light~~ that is red or blue or a combination thereof
25 and that is flashing, oscillating, or rotating.

