

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 20**

October 24, 2007 – Offered by Representative MUSSER.

1 **AN ACT** *to renumber and amend* 341.14 (6r) (g); *to amend* 341.135 (2m), 341.14
2 (6m) (a), 341.14 (6r) (b) 9., 341.14 (6r) (c), 341.14 (6r) (d) 1., 341.14 (6r) (f) 33.,
3 341.14 (6r) (fm) 7. and 341.14 (8) (a) and (b); and *to create* 341.08 (2) (f), 341.14
4 (6m) (d), 341.14 (6r) (d) 3. and 4., 341.14 (6r) (f) 49p. and 341.14 (6r) (g) 2. of the
5 statutes; **relating to:** special distinguishing registration plates for fire fighters
6 and their surviving spouses, rescue squad members, emergency medical
7 technicians, groups that are military in nature, and members of the national
8 guard.

Analysis by the Legislative Reference Bureau

Under current law, members of authorized special groups may obtain special distinguishing registration plates for automobiles and certain other vehicles that are owned or leased by members of these groups. There are special plates for fire fighters, rescue squad members, and emergency medical technicians (EMTs) and numerous special plates related to military service, military honors, and groups associated with a branch of the armed services (military special plates). State residents who are members or retired members of the national guard may obtain

special plates that display the words “Wisconsin guard member” (national guard special plates). Subject to certain limitations, the Department of Transportation (DOT) specifies the design for special plates. Military special plates must be colored red, white, and blue. If a person issued special fire fighter plates, rescue squad member plates, or EMT plates is no longer a fire fighter, rescue squad member, or EMT, the person must dispose of the special plates in a manner prescribed by DOT. If military special plates have been issued to a person, upon application by the surviving spouse of that person, DOT may permit the surviving spouse to retain these special plates.

Current law also requires DOT to establish new designs for most vehicle registration plates, including most special plates, every ten years and to issue the new plates on a rolling basis as vehicle registrations are renewed by the vehicle owners.

This substitute amendment adds as special group members, authorized to obtain special fire fighter plates, surviving spouses of fire fighters who die in the line of duty. In addition, if a fire fighter has been issued special fire fighter plates and the fire fighter dies in the line of duty, DOT must allow the surviving spouse of the fire fighter, upon application to DOT, to retain the special fire fighter plates. DOT must also allow the surviving spouse, upon request, to change the plate from a personalized plate to a standard plate or from a standard plate to a personalized plate. If the special plates were surrendered or returned to DOT within the prior two years, DOT must reissue the plates. The substitute amendment also modifies current law to make these special plate retention, modification, and reissuance provisions applicable to military special plates. The substitute amendment further provides that, if a person issued special fire fighter plates, rescue squad member plates, or EMT plates suffers an injury in the course of his or her job duties as a fire fighter, rescue squad member, or EMT and the injury prevents the person from subsequently performing his or her job duties, the person may retain these special plates.

Under this substitute amendment, if an applicant for initial issuance of national guard special plates identifies himself or herself as a member or former member of the 32nd “Red Arrow” Brigade or Division, DOT must affix to each special plate two decals (stickers), one of which displays the words “Red Arrow” and the other of which displays the red arrow symbol associated with the 32nd “Red Arrow” Brigade or Division. An applicant for renewal of registration of national guard special plates may also receive these stickers, free of charge, if these stickers were not previously affixed by DOT to the applicant’s national guard special plates.

This substitute amendment also establishes as an authorized special group members or former members of the 32nd “Red Arrow” Brigade or Division. In addition to the regular vehicle registration fee, special group members are required to pay a \$15 fee for issuance or reissuance of the special plates, which fee is mostly deposited in the veterans trust fund. These special plates must display the words “Red Arrow” and the red arrow symbol associated with the 32nd “Red Arrow” Brigade or Division.

This substitute amendment requires military special plates to have background coloring identical to that specified by DOT for such plates issued immediately prior to December 4, 2006 (red at the top of the plate, shaded into white in the middle of the plate, and shaded into blue at the bottom of the plate) and to display the name of the special group in letters of a size equal to the letters in the word “Wisconsin” on the plates. The substitute amendment also prohibits DOT from specifying a design for military special plates unless the design is approved in writing by the secretary of veterans affairs or his or her designee, the chairperson of the Council on Veterans Programs or his or her designee, and the chairperson of the Board of Veterans Affairs or his or her designee. The substitute amendment also exempts these military special plates from the ten-year redesign cycle.

This substitute amendment also requires special plates for fire fighters and EMTs to be the same color and design that was specified by DOT for these plates immediately prior to December 4, 2006. The substitute amendment exempts these special plates from the ten-year redesign cycle.

Under current law, DOT must consult with or obtain the approval of the adjutant general with respect to any word or symbol used to identify the national guard on national guard special plates. This substitute amendment eliminates the consultation option, thereby requiring DOT to obtain approval.

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

1 **SECTION 1.** 341.08 (2) (f) of the statutes is created to read:

2 341.08 **(2)** (f) If the application is for registration of a vehicle under s. 341.14
3 (6m), an opportunity for the applicant to identify himself or herself as a member or
4 former member of the 32nd “Red Arrow” Brigade or Division.

5 **SECTION 2.** 341.135 (2m) of the statutes is amended to read:

6 341.135 **(2m)** APPLICABILITY. This section does not apply to special group plates
7 under s. 341.14 (6r) (f) 19m., 33., and 48. or to other special group plates under s.
8 341.14 (6r) (f) for groups associated with a branch of the armed services or a related
9 organization.

10 **SECTION 3.** 341.14 (6m) (a) of the statutes is amended to read:

11 341.14 **(6m)** (a) Upon application to register an automobile or a motor home,
12 or a motor truck, dual purpose motor home, or dual purpose farm truck which has

1 a gross weight of not more than 8,000 pounds, or a farm truck which has a gross
2 weight of not more than 12,000 pounds, by any person who is a resident of this state
3 and a member or retired member of the national guard, the department shall issue
4 to the person special plates whose colors and design shall be determined by the
5 department and which have the words “Wisconsin guard member” placed on the
6 plates in the manner designated by the department. The department shall ~~consult~~
7 ~~with or~~ obtain the approval of the adjutant general with respect to any word or
8 symbol used to identify the national guard. An additional fee of \$15 shall be charged
9 for the issuance or reissuance of the plates. Registration plates issued under this
10 subsection shall expire annually.

11 **SECTION 4.** 341.14 (6m) (d) of the statutes is created to read:

12 341.14 **(6m)** (d) 1. If an applicant for initial issuance of special plates under this
13 subsection identifies himself or herself in the application as a member or former
14 member of the 32nd “Red Arrow” Brigade or Division, the department shall affix to
15 each plate issued under this subsection 2 decals related to the 32nd “Red Arrow”
16 Brigade or Division. One decal shall display only the words “Red Arrow.” The other
17 decal shall display only the red arrow symbol associated with the 32nd “Red Arrow”
18 Brigade or Division.

19 2. Upon receiving any application for renewal of registration of a vehicle for
20 which special plates have been issued under this subsection, if the applicant
21 identifies himself or herself in the application as a member or former member of the
22 32nd “Red Arrow” Brigade or Division and if the department has not previously
23 issued plates with decals affixed as provided under subd. 1. or 3., the department
24 shall provide decals described in subd. 1. to the applicant, free of charge, with
25 instructions for placement of the decals on the special plates.

1 3. Notwithstanding subd. 2., upon receiving any application for renewal of
2 registration of a vehicle for which special plates have been issued under this
3 subsection, if the applicant identifies himself or herself in the application as a
4 member or former member of the 32nd “Red Arrow” Brigade or Division and if the
5 department is required under s. 341.135 (2) to issue new registration plates for the
6 vehicle, the department shall affix to the plates decals described in subd. 1.

7 4. This paragraph also applies to personalized registration plates issued under
8 s. 341.145 (1g) (a).

9 **SECTION 5.** 341.14 (6r) (b) 9. of the statutes is amended to read:

10 341.14 **(6r)** (b) 9. A fee of \$15 shall be charged for the issuance or reissuance
11 of a plate for a special group specified under par. (f) 1. to 19., 20. to 32., 49. to 49s.,
12 51., or 56. All moneys received under this subdivision in excess of the initial costs
13 of production of the special group plates under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
14 49d., 49h., 49p., 49s., and 56. or \$37,800, whichever is less, shall be deposited in the
15 veterans trust fund.

16 **SECTION 6.** 341.14 (6r) (c) of the statutes is amended to read:

17 341.14 **(6r)** (c) Special group plates shall display the word “Wisconsin”, the
18 name of the applicable authorized special group, a symbol representing the special
19 group, not exceeding one position, and identifying letters or numbers or both, not
20 exceeding 6 positions and not less than one position. The Except as otherwise
21 provided in this paragraph, the department shall specify the design for special group
22 plates, but the department shall consult the president of the University of Wisconsin
23 System before specifying the word or symbol used to identify the special groups
24 under par. (f) 35. to 47., the secretary of natural resources before specifying the word
25 or symbol used to identify the special group under par. (f) 50., the chief executive

1 officer of the professional football team and an authorized representative of the
2 league of professional football teams described in s. 229.823 to which that team
3 belongs before specifying the design for the applicable special group plate under par.
4 (f) 55., and the department of veterans affairs before specifying the design for the
5 special group plates under par. (f) 49d., 49h., and 49s, and the department of tourism
6 and chief executive officer of the organization specified in par. (f) ~~56.~~ 55m. before
7 specifying the design and word or symbol used to identify the special group name for
8 special group plates under par. (f) ~~56.~~ 55m. Special group plates under par. (f) 50.
9 shall be as similar as possible to regular registration plates in color and design.
10 Notwithstanding par. (e), special group plates under par. (f) 33. and 48. shall be the
11 same color and design that was specified by the department for such plates
12 immediately prior to December 4, 2006.

13 **SECTION 7.** 341.14 (6r) (d) 1. of the statutes is amended to read:

14 341.14 **(6r)** (d) 1. Subject to ~~subd.~~ subds. 2. to 4. and par. (c), the department
15 shall specify the word or words comprising the special group name and the symbol
16 to be displayed upon special group plates for a group associated with a branch of the
17 armed services or a related organization after consultation with the appropriate
18 state or federal representative of that service or organization. Special group plates
19 for a group associated with a branch of the armed services or a related organization
20 shall be colored red, white, and blue and, if the plates are issued after the effective
21 date of this subdivision [revisor inserts date], shall have background coloring
22 identical to that specified by the department for such plates issued immediately prior
23 to December 4, 2006, and display the name of the applicable authorized special group
24 in letters of a size equal to the letters in the word “Wisconsin” displayed on the plate.

25 **SECTION 8.** 341.14 (6r) (d) 3. and 4. of the statutes are created to read:

1 341.14 (6r) (d) 3. The department may not specify a design for special group
2 plates for a group associated with a branch of the armed services or a related
3 organization unless the design is approved in writing by the secretary of veterans
4 affairs or his or her designee, the chairperson of the council on veterans programs
5 or his or her designee, and the chairperson of the board of veterans affairs or his or
6 her designee. This subdivision does not apply to special group plates under par. (f)
7 19m.

8 4. Special group plates under par. (f) 49p. shall display the words “Red Arrow”
9 and the red arrow symbol associated with the 32nd “Red Arrow” Brigade or Division.

10 **SECTION 9.** 341.14 (6r) (f) 33. of the statutes is amended to read:

11 341.14 (6r) (f) 33. Fire fighters and surviving spouses of fire fighters who die
12 in the line of duty.

13 **SECTION 10.** 341.14 (6r) (f) 49p. of the statutes is created to read:

14 341.14 (6r) (f) 49p. Members or former members of the 32nd “Red Arrow”
15 Brigade or Division.

16 **SECTION 11.** 341.14 (6r) (fm) 7. of the statutes is amended to read:

17 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups
18 may only be special groups designated by the department under this paragraph. The
19 authorized special groups enumerated in par. (f) shall be limited solely to those
20 special groups specified under par. (f) on October 1, 1998. This subdivision does not
21 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,
22 19m., 49d., 49h., 49p., 49s., 54., 55., 55m., 56. and 57.

23 **SECTION 12.** 341.14 (6r) (g) of the statutes is renumbered 341.14 (6r) (g) 1. and
24 amended to read:

1 341.14 (6r) (g) 1. If Except as provided in subd. 2. and sub. (8) (a), if an
2 individual in possession of special plates under par. (f) 33., 34. or 48. or of
3 personalized plates under s. 341.145 (1) (c) of the same color and design as special
4 plates under par. (f) 33., 34. or 48. does not maintain membership in the applicable
5 authorized special group during a year that is not a plate issuance year, the
6 individual shall dispose of the special plates in a manner prescribed by the
7 department. This subdivision does not apply to plates issued to the surviving spouse
8 of a fire fighter who died in the line of duty.

9 **SECTION 13.** 341.14 (6r) (g) 2. of the statutes is created to read:

10 341.14 (6r) (g) 2. If an individual in possession of special plates under par. (f)
11 33., 34., or 48. or of personalized plates under s. 341.145 (1) (c) of the same color and
12 design as special plates under par. (f) 33., 34., or 48. suffers an injury in the course
13 of his or her job duties as a fire fighter, rescue squad member, or emergency medical
14 technician and the injury prevents the individual from subsequently performing
15 such job duties, the individual may retain these special plates.

16 **SECTION 14.** 341.14 (8) (a) and (b) of the statutes are amended to read:

17 341.14 (8) (a) If a special plate for a group associated with a branch of the armed
18 services or otherwise military in nature has been issued to a person under this
19 section, or if a special plate under sub. (6r) (f) 33. has been issued to a person who
20 dies in the line of duty, upon application by the surviving spouse of the person, the
21 department ~~may~~ shall permit the surviving spouse to retain the plate. If the plate
22 has been returned to the department or surrendered to another state, the
23 department ~~may~~ shall reissue the plate to the surviving spouse if the application for
24 reissuance of the plate is made within 2 years of the plate's return or surrender. The
25 department shall charge an additional fee of \$15 to reissue the plate.

1 (b) For a plate retained or reissued under this subsection, upon request of the
2 surviving spouse, the department may shall change the plate from a personalized
3 plate to a standard plate. Upon request of a surviving spouse and upon payment of
4 the additional fee under s. 341.145 (3), the department may shall personalize the
5 plate or modify any existing personalization to the plate.

6 **SECTION 15. Nonstatutory provisions.**

7 (1) Any individual who was in possession, on September 1, 2007, of special
8 plates described in section 341.14 (6r) (g) 2. of the statutes, as created by this act, who
9 suffered an injury in the course of his or her job duties as a fire fighter, rescue squad
10 member, or emergency medical technician that prevents the individual from
11 subsequently performing such job duties, and who was required to surrender these
12 special plates between September 1, 2007, and the effective date of this subsection
13 or whose special plates expired during this time period may apply to the department
14 of transportation for reissuance of these special plates. Upon application, the
15 department of transportation shall reissue these special plates at no additional fee.

16 (2) Notwithstanding section 341.16 (1) and (2) of the statutes, a person issued,
17 after December 3, 2006, but prior to the effective date of this subsection, special
18 plates under section 341.14 (6r) (f) of the statutes for a group associated with a
19 branch of the armed services or a related organization may obtain replacement
20 plates under section 341.16 of the statutes, regardless of whether the person's
21 current registration plates have been lost or stolen or have become illegible. A person
22 who obtains replacement plates under this subsection is otherwise subject to all
23 provisions of section 341.16 of the statutes, including any applicable fee, except that,
24 if the person requests replacement plates at the time of the person's first registration

1 renewal following the effective date of this subsection, the department may not
2 charge any fee for the replacement plates.

3 (3) Notwithstanding section 341.16 (1) and (2) of the statutes, a person issued,
4 after December 3, 2006, but prior to the effective date of this subsection, special
5 plates under section 341.14 (6r) (f) 33. or 48. of the statutes may obtain replacement
6 plates under section 341.16 of the statutes, regardless of whether the person's
7 current registration plates have been lost or stolen or have become illegible. A person
8 who obtains replacement plates under this subsection is otherwise subject to all
9 provisions of section 341.16 of the statutes, including any applicable fee.

10 **SECTION 16. Initial applicability.**

11 (1) The treatment of section 341.14 (8) (a) and (b) of the statutes, the
12 renumbering and amendment of section 341.14 (6r) (g) of the statutes, and the
13 creation of section 341.14 (6r) (g) 2. of the statutes first applies to applications to
14 retain special plates received by the department of transportation on the effective
15 date of this subsection.

16 (2) The treatment of sections 341.08 (2) (f) and 341.14 (6m) (d) of the statutes
17 first applies to applications for original or renewal vehicle registration received by
18 the department of transportation on the effective date of this subsection.

19 (3) The treatment of sections 341.135 (2m) and 341.14 (6r) (c) and (d) 1. and 3.
20 of the statutes first applies to registration plates issued by the department of
21 transportation on the effective date of this subsection.

22 (4) The treatment of section 341.14 (6m) (a) of the statutes first applies to
23 registration plates for which the department of transportation commences redesign
24 work on the effective date of this subsection.

