

07hr_SC-ENR_CRule_06-133_pt01



(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Environment and Natural Resources (SC-ENR)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... **HR** ... **bills and resolutions** (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (June/2014)

Senate

Record of Committee Proceedings

Committee on Environment and Natural Resources

Clearinghouse Rule 06-133

Relating to registration of boats used exclusively to make advertisements and creating definitions.

Submitted by Department of Natural Resources.

April 09, 2007 Referred to Committee on Environment and Natural Resources.

May 10, 2007 No action taken.


Elizabeth Bier
Committee Clerk



NATURAL RESOURCES BOARD AGENDA ITEM

SUBJECT: Request adoption of Board Order LE-05-07, revisions to NR 5, Wis. Adm. Code, pertaining registration of boats used exclusively to make advertisements and creating definitions.

FOR: MARCH 2007 BOARD MEETING

TO BE PRESENTED BY: Roy Zellmer, Boating Law Administrator

SUMMARY:

The Wisconsin Legislature passed 2005 Wisconsin Act 481 which took effect on June 14th, 2006. This Act exempts boats from the need to pay a fee to be registered and issued a certificate of number when the boat is used exclusively as part of an advertisement being made for the manufacturer of the boat. The department is required under s. 30.52(3g)(a), Stats., to promulgate rules for the issuance of the free certificate of number for such boats. The attached rule will establish the procedure for applying for and issuance of a free 15-day boat registration/certificate of number.

In addition this rule creates three new definitions to clarify terms used in Chapter 30, Wis. Stats. Clarification of these terms will reflect how they have traditionally been interpreted and enforced by the department and will assist the public in understanding the law. This better understanding will help gain compliance with the current law. This rule will clarify the terms "carrying capacity" and "recommended number of persons" as they relates to the information provided on the capacity plate attached to a boat. Section 30.68(9), Stats., states that no person may operate a boat that is loaded with passengers or cargo beyond its safe carrying capacity. Section 30.501, Stats., requires all boats less than 20 feet in length designed to carry 2 or more people and to use a motor shall display a capacity plate which contains the maximum recommended number of persons and the maximum weight of persons, motor, gear, etc., that may be placed aboard the boat. This rule clarifies that neither of these maximums may be exceeded. The term lifeboat is also being clarified for purposes of interpretation of the statutory exemption from registration of a motorboat that is a lifeboat. This rule clarifies that the exemption from registration provided for a lifeboat only applies to a boat used exclusively for the purpose of transporting person(s) from a vessel in distress.

Based on four public hearings that were held on this topic and written comments that were received on this proposed rule, we are recommending the adoption of the rule as written.

RECOMMENDATION: Adopt Board Order LE-05-07, revisions to NR 5, Wis. Adm. Code, pertaining registration of boats used exclusively to make advertisements and creating definitions.

LIST OF ATTACHED MATERIALS:

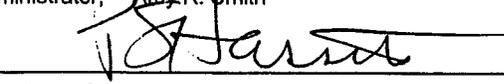
- No Fiscal Estimate Required
- No Environmental Assessment or Impact Statement Required
- No Background Memo

- Yes Attached
- Yes Attached
- Yes Attached

APPROVED:


Bureau Director, Randall J. Stark


Administrator, Amy R. Smith


Secretary, Scott Hassett

2-16-07
Date

2/21/07
Date

2/20/07
Date

Date

- cc: Laurie J. Ross - AD/5
- Amy Smith - AD/5
- Mike Lutz - LS/5
- Carol Turner - LS/5
- Randy Stark - LE/5

- Bill Engfer - LE/5
- Roy Zellmer - LE/5
- Tom Van Haren - LE/5
- Regional LE Superviosrs - LE/5 (5)

Kristin Turner - LE/5

STAFF REVIEW - DNR BOARD AGENDA ITEM

REMINDER

Have the following questions been answered under the summary section of this form?

- Why is the rule needed?
- What are the significant changes?
- What are the key issues/controversies?
- What was the last action of the Board?

LIST OF ATTACHED REFERENCE MATERIAL REQUIRED FOR RULE PROPOSALS:

Hearing authorization:

Final adoption:

Background Memo (if needed)*

Background Memo (if needed)*

Fiscal Estimate

Response Summary

Environmental Assessment (if needed)

Fiscal Estimate

Rule

Environmental Assessment (if needed)

Rule

* If all the questions listed in the REMINDER section above can be adequately summarized on the Green Sheet (and a second sheet if needed), the Background Memo may be omitted.

Unit	Reviewer	Date	Comments
Environmental Analysis and Review	DMS	2/21/07	
Management and Budget	W	02/19/07	
Legal Services -Program Attorney -Carol Turner	MZ CT	2-19-07 2-20-07	With modifications
Other (if applicable)			

DATE: February 15, 2007

TO: Natural Resources Board

FROM: Scott Hassett

SUBJECT: NRB adoption of Board Order LE-05-07 pertaining free certificate of numbers for boats used exclusively to make advertisements and creation of 3 new definitions.

I am requesting Natural Resources Board adoption of Board Order LE-05-07, a rule package pertaining to Chapter NR 5, Wis. Adm. Code, relating to the departments requirement to develop a process for a 15-day free boat certificate of number for persons who use a boat exclusively to make an advertisement for the boat manufacturer. This rule order also creates 3 new definitions in s. NR 5.001, Wis. Adm. Code related to the lifeboat registration exemption and clarification of safe carrying capacity of a motor boat.

Background

2005 Wis. Act 481 was passed into law in May 2006. Provisions of this Act require the department to issue a free 15-day boat registration certificate to manufacturers who film commercials and/or take photos for ads while in the state and using state waters. By passing this provision it shall allow manufacturers to conduct business in the state without having to permanently register the boat they are using for their promotions.

There has been confusion pertaining to what is the legal safe carrying capacity of a motor boat. Over the last few years there have been many questions regarding the interpretation of the information on a capacity plate on motorboats regarding the safe carrying capacity. This clarification will assist the public in understanding that rule.

A lifeboat under s.30.51 (2) 8., Stats., is exempt from registration. There is currently no clear definition of lifeboat in Chapter 30, Wis. Stats., or Chapter NR 5, Wis. Adm. Code. This rule creates a definition which will state what a lifeboat is meant to be used for and under what circumstances. This will help eliminate any confusion for owners of vessels that have a lifeboat regarding the registration exemption.

Summary of Rule

The attached rule will establish the procedure for applying for and issuance of a free 15-day boat registration/certificate of number. This rule will primarily affect persons or businesses that film commercials and shoot photos for advertisements to be used by the manufacturer of the boat. This rule will allow them easier access to Wisconsin's waters for creating such advertisements and commercials.

In addition this rule creates three new definitions to clarify terms used in Chapter 30, Wis. Stats.

This rule clarifies the terms "safe carrying capacity" and "recommended number of persons" as they relate to the information provided on the capacity plate attached to boats. This rule clarifies that neither of the maximum recommended number of persons or the maximum weight of persons, motor, gear, etc., that may be placed aboard the boat may be exceeded. The term lifeboat is also being clarified for purposes of interpretation of the statutory exemption from registration of a motorboat that is a lifeboat. This rule clarifies that the exemption from registration provided for a lifeboat only applies to a boat used exclusively for the purpose of transporting person(s) from a vessel in distress.

Public Hearing Plan

The department held four separate public hearings in Waukesha, Madison and Wausau and Eau Claire, in addition, the department accepted written comments submitted by mail or electronically. There were no appearances at any of the public hearings held on this rule order, and no written comments were received.

Rule Development

The proposed rules were developed by the Bureau of Law Enforcements Boating Safety Section and Customer Services and Licensing with the assistance of the Bureau of Legal Services.

Small Business and Final Regulatory Flexibility Analysis

N/A

Environmental Analysis:

The department has determined that these rule revisions are a Type III action under Chapter 150, Wis. Adm. Code, and no environmental analysis is required.

Legislative Clearing House Report:

All comments from the Legislative Council Rules Clearinghouse have been incorporated in the final rule order.

Fiscal Estimate — 2007 Session

<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Updated	LRB Number	Amendment Number if Applicable
<input type="checkbox"/> Corrected	<input type="checkbox"/> Supplemental	Bill Number	Administrative Rule Number LE-05-07

Subject

Free certificate of number for boats used exclusively to make advertisements and creation of 3 new definitions.

Fiscal Effect

State: No State Fiscal Effect
 Indeterminate

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- | | |
|--|---|
| <input type="checkbox"/> Increase Existing Appropriation | <input type="checkbox"/> Increase Existing Revenues |
| <input type="checkbox"/> Decrease Existing Appropriation | <input type="checkbox"/> Decrease Existing Revenues |
| <input type="checkbox"/> Create New Appropriation | |

Increase Costs — May be possible to absorb within agency's budget.

Yes No

Decrease Costs

Local: No Local Government Costs

Indeterminate

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:

- Towns Villages Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Affected Chapter 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

Rule Summary: The proposed rule is to create a free 15-day temporary boat registration for the use of filming commercials and ads on Wisconsin's waterways. The rule also creates new definitions in NR 5.001 Wis. Adm. Code, related to capacity plates on boats and when a boat is a lifeboat.

Fiscal Estimate: It is unknown how many boat manufacturers will take advantage of the free 15 day baot certificate of number, but it is assumed the number of applications will be 5 or less per boating season based on previous years information. This would equate to a potential loss in revenue to the department of approximately \$120 per year (5 boats x \$24.00 per boat = \$120.00).

The department does not expect there to be any significant increase cost to the department for the review, approval and issuance of these free certificate of numbers beyond what it would otherwise cost the department to issue a certificate of number for each such boat at the normal fee. Therefore, it is estimated that any increased costs associated with the administration of the free certificate of number will be minimal and likely be absorbed within the current budget. It is further assumed the revenue lost to from the boat gas tax formula will also be minimal.

By defining what a lifeboat is and what it can or can not be used for under the current exemption from registration, it is believed there will be some additional revenue generated when the owners of such boats understand that the boat must be registered if they intend to use it for purposes other than as a lifeboat. This increase will likely be small and is difficult to estimate since each owner can decide who they will use their lifeboat. The department does not anticipate any fiscal impacts as a result of the newly created definition of "Safe carrying capacity" or "Recommended number of persons"

Long-Range Fiscal Implications

None

Prepared By: Joe Polasek	Telephone No. 266-2794	Agency Department of Natural Resources
Authorized Signature 	Telephone No. 266-2794	Date (mm/dd/ccyy) 11-16-06

Fiscal Estimate Worksheet — 2007 Session
 Detailed Estimate of Annual Fiscal Effect

Original Updated
 Corrected Supplemental

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number LE-05-07

Subject

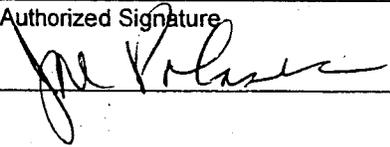
Free certificate of number for boats used exclusively to make advertisements and creation of 3 new definitions.

One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):
 N/A

Annualized Costs:		Annualized Fiscal Impact on State Funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations — Salaries and Fringes	\$	\$ -	
(FTE Position Changes)	(FTE)	(FTE)
State Operations — Other Costs		-	
Local Assistance		-	
Aids to Individuals or Organizations		-	
Total State Costs by Category	\$ 0	\$ -	0
B. State Costs by Source of Funds			
GPR	\$	\$ -	
FED		-	
PRO/PRS		-	
SEG/SEG-S		-	
State Revenues	Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Revenue	Decreased Revenue
GPR Taxes	\$	\$ -	
GPR Earned		-	
FED		-	
PRO/PRS		-	
SEG/SEG-S		-	120
Total State Revenues	\$ 0	\$ -	120

Net Annualized Fiscal Impact

	<u>State</u>	<u>Local</u>
Net Change in Costs	\$ _____	\$ _____
Net Change in Revenues	\$ -120	\$ _____

Prepared By: Joe Polasek	Telephone No. 266-2794	Agency Department of Natural Resources
Authorized Signature 	Telephone No. 266-2794	Date (mm/dd/ccyy) 11-16-06



**WISCONSIN LEGISLATIVE COUNCIL
RULES CLEARINGHOUSE**

Ronald Sklansky
Clearinghouse Director

Terry C. Anderson
Legislative Council Director

Richard Sweet
Clearinghouse Assistant Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 06-133

AN ORDER to renumber NR 5.001 (7m) and (11m); and to create NR 5.001 (7r), (11r) and (12m) and 5.01 (5), relating to registration of boats used exclusively to make advertisements and creating definitions.

Submitted by **DEPARTMENT OF NATURAL RESOURCES**

12-06-2006 RECEIVED BY LEGISLATIVE COUNCIL.

12-19-2006 REPORT SENT TO AGENCY.

RS:DLL

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]
Comment Attached YES NO
2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]
Comment Attached YES NO
3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]
Comment Attached YES NO
4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]
Comment Attached YES NO
5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]
Comment Attached YES NO
6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]
Comment Attached YES NO
7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]
Comment Attached YES NO



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 06-133

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated January 2005.]

2. Form, Style and Placement in Administrative Code

- a. The first treatment section should be restructured as follows:

SECTION 1. NR 5.001 (7m) is renumbered NR 5.001 (7g).

SECTION 2. NR 5.001 (7r) is created to read:.

SECTION 3. NR 5.001 (11m) is renumbered NR 5.001 (11g).

SECTION 4. NR 5.001 (11r) and (12m) are created to read:.

- b. In s. NR 5.001 (12m), the definition of the term “safe carrying capacity” should not make use of the phrase “refers to.” The definition could be written as follows:

“Safe carrying capacity,” for the purposes of s. 30.68 (9), Stats., means all of the following:

(a) The maximum number of persons allowed and the maximum allowed total weight of persons, motor, gear, and other articles placed aboard as displayed on a boat’s capacity plate, under normal conditions.

(b) Less than the maximum number of persons or the maximum allowed total weight of persons, motor, gear, and other articles placed aboard as displayed on a boat’s capacity plate when taking into

consideration abnormal weather or other existing operating conditions.

c. In s. NR 5.01 (5), the introduction should be numbered as par. (a) and the remaining paragraphs should be renumbered accordingly.

4. Adequacy of References to Related Statutes, Rules and Forms

Section NR 5.01 (5) (a) refers to a form provided by the department. The requirements of s. 227.14 (3), Stats., should be met.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In the definition of "lifeboat," the word "which" should be replaced with "that." The same applies to the first occurrence of "which" in s. NR 5.01 (5) (a).

b. The definition of "recommended number of persons" is unclear. The following alternative, using notes for explanatory purposes, is suggested:

"Recommended number of persons" means the maximum number of persons that may occupy a boat, as indicated on the boat's capacity plate.

NOTE: "Recommended number of persons" is independent of any weight limits that apply to the boat; the term is applied regardless of whether the weight limits are exceeded.

c. The first comma in s. NR 5.01 (5) (intro.) should be omitted. Section NR 5.01 (5) (a) should begin with the phrase "A person" and, in par. (b) (intro.), the phrase "all of" should be inserted after the word "contained." A comma should be inserted following "boat" in s. NR 5.01 (5) (c). Also in s. NR 5.01 (5) (c), "will" should be replaced with "shall."

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
RENUMBERING AND CREATING RULES

The Natural Resources Board proposes an order to renumber ss. NR 5.001(7m) and (11m); and create ss. NR 5.001(7r), (11r) and (12m) and 5.01 (5) relating to registration of boats used exclusively to make advertisements and creating definitions.

LE-05-07

Analysis Prepared by Department of Natural Resources

1. Statutes Interpreted.

Sections 30.501(2)(a)2., 30.51 (2)(a)8. , 30.52(3g) and 30.68(9), Stats.

2. Statutory Authority.

Sections 30.52(3g)(b) and 227.11 (2) (a) , Stats.

3. Explanation of agency authority to promulgate the proposed rule under the statutory authority.

The proposed rule would allow for the department to issue boat certificate of numbers for free when applied for by a person who uses a boat exclusively for making an advertisement for the manufacture of the boat. The certificate of numbers may not be issued for a period that exceeds 15-days. The department is required to promulgate rules under s. 30.52 (3g) (b), Stats., and s. 227.11 (2)(a), stats. grants the department rule making authority to better effectuate the statute, such as the creation of definitions to clarify terms used in the statutes.

4. Related statute or rule

None

5. Plain language analysis of the proposed rule

The attached rule will establish the procedure for applying for and issuance of a free 15-day boat registration/certificate of number. This rule will primarily affect persons or businesses that film commercials and shoot photos for advertisements to be used by the manufacturer of the boat. This rule will allow them easier access to Wisconsin's waters for creating such advertisements and commercials.

In addition this rule creates three new definitions to clarify terms used in Chapter 30, Wis. Stats. This rule clarifies the terms "safe carrying capacity" and "recommended number of persons" as they relate to the information provided on the capacity plate attached to boats. This rule clarifies that neither of maximum recommended number of persons or the maximum weight of persons, motor, gear, etc., that may be placed aboard the boat may be exceeded. The term lifeboat is also being clarified for purposes of interpretation of the statutory exemption from registration of a motorboat that is a lifeboat. This rule clarifies that the exemption from registration provided for a lifeboat only applies to a boat used exclusively for the purpose of transporting person(s) from a vessel in distress.

6. Summary of and preliminary comparison with existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule.

N/A

7. Comparison of similar rules in adjacent states (Minnesota, Iowa, Illinois and Michigan)

The proposed rules do not have comparable rules in the above listed states that we were able to identify.

8. Summary of the factual data and analytical methodologies that the agency used in support of the proposed rule and how any related findings support the regulatory approach chosen for the proposed rule.

The department was approached with the idea of creating a free temporary certificate of numbers allowing manufacturers to utilize Wisconsin waterways more easily in advertisement of their new products. The department did not object based on the small number that this would apply to and to promote use of our waterways. Section 30.52 (3g) (a), Stats., was created under 2005 Wis. Act 481 requiring the department to issue a free temporary certificate of number for any such boats.

9. Analysis and supporting documentation that the agency used in support of the agency's determination of the rules effect on small businesses under s. 227.114, stats or that was used when the agency prepared an economic impact report.

The department determined that small businesses would not be significantly affected by the changes in these rules.

10. Effects on small business, including how the rule will be enforced.

This rule will have limited affect on small business. It simply provides a means by which a small business that uses a boat to make and advertisement for a boat manufacture can apply for a free registration for the boat used to make the advertisement, instead of having to pay the normal fee for a registration or certificate of number.

11. Agency contact person (including e-mail and telephone number).

Roy S. Zellmer, 101 S. Webster Street P.O. Box 7921, Madison, WI 53707-7921, (608) 264-8970, roy.zellmer@wisconsin.gov

SECTION 1. NR 5.001 (7m) is renumbered NR 5.001 (7g)

SECTION 2. NR 5.001 (7r) is created to read:

NR 5.001(7r) "Lifeboat" means a boat or other vessel that is being used exclusively for the purpose of transporting a person from a vessel in distress.

SECTION 3. NR 5.001 (11m) is renumbered NR 5.001 (11g).

SECTION 4. NR 5.001 (11r) and (12m) are created to read:

(11r) "Recommended number of persons", for the purpose of ss. 30.501(2)(a)2. and 30.68(9), Stats., means the maximum number of persons that may occupy a boat, as indicated on the boat's capacity plate.

Note: "Recommended number of persons" is independent of any weight limits that apply to the boat; the term is applied regardless of whether the weight limits are not exceeded.

(12m) "Safe carrying capacity", for the purposes of s. 30.68 (9), Stats., means all of the following:

(a) The maximum number of persons allowed and the maximum allowed total weight of person, motor, gear, and other articles placed aboard as displayed on a boat's capacity plate, under normal conditions.

(b) Less than the maximum number of persons or the maximum allowed total weight of person, motor, gear, and other articles placed aboard as displayed on a boat's capacity plate when taking into consideration abnormal weather or other existing operating conditions.

SECTION 5. NR 5.01 (5) and note are created to read:

NR 5.01(5)(a) *Free certificate of number.* A person who intends to use a boat exclusively as part of an advertisement being made for the manufacture of the boat may apply for a free certificate of number for the boat as authorized under s. 30.52(3g), Stats.

(b) *Application.* A person applying for a free certificate of number under this subsection shall submit an application on the form provided by the department that contains all of the information required by the department which may include any information required under sub. (1).

Note: A person may request a free certificate of number application form by calling (608) 266-2621 or by writing to the following address: Wisconsin DNR, Bureau of Customer Service and Licensing, 101 S. Webster Street, P.O. Box 7921 Madison, WI 53707-7921.

(c) *Additional information.* In addition to the information required under par. (b), the application shall contain all of the following:

1. The beginning and ending dates for the period the boat will be used exclusively for making the advertisement, but not to exceed a total of 15 days.
2. The body of water on which the boat will be operated.
3. The name of the county in which the boat will be operated.

(d) *Effective period.* The department shall issue a certificate of number with a suffix of TN for the boat, which shall be valid for not more than 15 consecutive days.

(e) *Display of identification number and decals.* 1. Upon being issued a certificate of number notification and awarded an identification number and decals by the department, the person making the advertisement shall paint on or attach the identification number and decals to each side of the forward half of the boat as prescribed under s. NR 5.06.

2. Notwithstanding s. NR 5.06(2) and (3), the identification number may be attached to removable signs to be temporarily but firmly mounted upon or attached to the boat while being operated. No number other than the identification number awarded by the department under this paragraph may be painted, attached or otherwise displayed on either side of the forward half of a boat.

Note: Section 30.52 (3g), Stats., states: (a) A boat that is present in this state and used exclusively as part of an advertisement being made for the manufacturer of the boat shall be issued a certificate of number for a period not to exceed 15 days. The department may not charge a fee for the issuance of a certificate of number under this paragraph. (b) The department shall promulgate rules for the issuance of certificates of number under par. (a).

SECTION 3. Effective date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative register as provided in s. 227.22(2)(intro.), Stats.

SECTION 4. Board adoption. The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on _____.

Dated at Madison, Wisconsin _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Scott Hassett, Secretary

(SEAL)