



2009 ASSEMBLY BILL 379

August 18, 2009 – Introduced by Representatives BALLWEG, TOWNSEND, NERISON and SMITH, cosponsored by Senators SCHULTZ and TAYLOR. Referred to Committee on Urban and Local Affairs.

1 **AN ACT** *to amend* 341.35 (1), 341.35 (2) (a), 341.35 (3m), 341.35 (5), 341.35 (6r)
2 and 341.35 (7) of the statutes; **relating to:** allowing a municipality or a county
3 to charge a registration fee for animal-drawn vehicles.

Analysis by the Legislative Reference Bureau

Current law allows a town, village, or city (municipality) or county to enact an ordinance to collect an annual registration fee for motor vehicles that weigh less than 8,000 pounds and are customarily kept in the county or municipality. The Department of Transportation collects the fees at the time a vehicle is registered and forwards the money, minus actual administrative costs associated with the collection of the fees, to the county or municipality for use by the county or municipality for transportation purposes.

This bill allows a county or municipality to enact an ordinance to collect an annual registration fee of not more than \$50 for animal-drawn vehicles customarily kept in the municipality or county. This fee is paid directly to the county or municipality to be used for transportation purposes.

For further information see the **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:

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

2 341.35 **(1)** ANNUAL REGISTRATION FEE. In this section “municipality” means a
3 town, village, or city and “motor vehicle” means an automobile or motor truck
4 registered under s. 341.25 (1) (c) at a gross weight of not more than 8,000 pounds.
5 The governing body of a municipality or county may enact an ordinance imposing an
6 annual flat municipal or county registration fee on all motor vehicles registered in
7 this state, and an annual municipal or county registration fee of not more than \$50
8 on animal-drawn vehicles, which are customarily kept in the municipality or county.
9 A registration fee imposed under this section shall be in addition to state registration
10 fees.

11 **SECTION 2.** 341.35 (2) (a) of the statutes is amended to read:

12 341.35 **(2)** (a) All motor vehicles exempted by this chapter from payment of a
13 state vehicle registration fee.

14 **SECTION 3.** 341.35 (3m) of the statutes is amended to read:

15 341.35 **(3m)** COUNTY AND MUNICIPAL FEES. If a municipality and the county in
16 which the municipality is located enact ordinances under this section, a motor
17 vehicle or an animal-drawn vehicle customarily kept in the municipality shall be
18 subject to a municipal registration fee and or a county registration fee.

19 **SECTION 4.** 341.35 (5) of the statutes is amended to read:

20 341.35 **(5)** PAYMENT OF FEES. At the time a motor vehicle is first registered or
21 at the time of registration renewal, the applicant shall pay to the department any fee
22 imposed by a county or municipality under this section for the motor vehicle in
23 addition to fees required under this chapter. A county or municipality may adopt,
24 by ordinance, a registration schedule for animal-drawn vehicles and the fee shall be
25 payable to the county or municipality. If the county and the municipality in which

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1 the animal-drawn vehicle is customarily kept have passed an ordinance to impose
2 a fee for the registration of an animal-drawn vehicle, the county shall collect that fee
3 and shall distribute the fee equally between the county and the municipality in
4 which the applicant resides.

5 **SECTION 5.** 341.35 (6r) of the statutes is amended to read:

6 341.35 **(6r)** USE OF FEE PROCEEDS. Any municipality or county receiving moneys
7 under sub. (5) or (6) shall use the moneys only for transportation related purposes,
8 except that a municipality or county may use a portion of the money it collects under
9 sub. (5) for actual administrative costs related to the collection of the fees.

10 **SECTION 6.** 341.35 (7) of the statutes is amended to read:

11 341.35 **(7)** REPLACEMENTS. No municipal or county vehicle registration fee may
12 be imposed on a motor vehicle or an animal-drawn vehicle which is a replacement
13 for a motor vehicle or an animal-drawn vehicle for which a current municipal or
14 county vehicle registration fee has been paid.

15 (END)